Par. 8.2.1.1.52
838

Friday,
11th December, 1953

# PARLIAMENTARY DEBATES

## HOUSE OF THE PEOPLE

OFFICIAL REPORT

PARLIAMENT SECRETARIAT
NEW DELHI

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THE
PARLIAMENTARY DEBATES
(Part I—Questions and Answers)
OFFICIAL REPORT



# HOUSE OF THE PEOPLE

*Friday, 11th December, 1953*

*The House met at Half Past One of the Clock*

[MR. SPEAKER *in the Chair*]

## ORAL ANSWERS TO QUESTIONS

### CENSUS OF LAND HOLDINGS

*842. **Sardar Hukam Singh:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether any circular has been or is proposed to be issued to State Governments indicating the lines on which they should conduct a census of land holdings in their respective States; and

(b) if so, what is the main policy underlying that circular and how is that to be achieved?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):** (a) A letter will be issued shortly.

(b) The object is to collect such data relating to the holdings and cultivation of agricultural land as will enable each State Government to determine the maximum area which an individual may hold.

**Sardar Hukam Singh:** Does the Government stick to the policy laid down by the Planning Commission that a ceiling should be imposed?

**Shri M. V. Krishnappa:** Of course, a ceiling would be imposed.





**Sardar Hukam Singh:** Did Government take note of the speech made by the Union Agriculture Minister at the Conference of State Agriculture Ministers which gave an indication to the contrary?

**The Minister of Food and Agriculture (Shri Kidwai):** The Union Agriculture Minister made a statement. It is also true that most of the State Agriculture Ministers agreed with it. But the implementation will rest with the State Governments with the approval of their Legislatures. Therefore, there is no question of any particular opinion arising.

**Sardar Hukam Singh:** May I know whether the Union Government discouraged Delhi and Assam when they wanted to impose a ceiling on the holdings?

**Shri Kidwai:** Whatever is in the Planning Commission Report is there. But to give effect to it we have to know how many persons are there and what is the extra land that will be available, and the effectiveness of that will depend upon the data received.

**Shri A. M. Thomas:** From the speech delivered by the Union Agriculture Minister, Dr. Punjabrao Deshmukh, we were led to understand that there is a conflict of views between the Agriculture Ministry and the Planning Commission. Am I right?

**Shri Kidwai:** The Planning Commission Report is there, and the substance of the speech has also been reported in the Press.

RINDERPEST VACCINE

***843. Dr. Ram Subhag Singh:** (a) Will the Minister of **Food and Agriculture** be pleased to state whether dessicated rinderpest vaccine for immunization of livestock against disease is manufactured in India?

(b) If so, where, and what quantity?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):** (a) Yes.

(b) The vaccine is manufactured at the Indian Veterinary Research Institute, Izatnagar; Biological Products Section of U.P. Government at Lucknow and the Veterinary Biological and Research Institute, Ranipet, Madras. Information on the quantities produced at these centres is being collected and will be placed on the Table of the House in due course.

**Dr. Ram Subhag Singh:** May I know whether the rinderpest vaccine produced at Izatnagar at present is enough for the existing requirements of the country?

**Shri M. V. Krishnappa:** It is not enough.

**Dr. Ram Subhag Singh:** How much of this vaccine is imported at present?

**Shri M. V. Krishnappa:** I want notice for that.

**सेठ अचल सिंह :** क्या मंत्री महोदय बताने की कृपा करेंगे कि रिन्डरपेस्ट की बीमारी से प्रति वर्ष कितने बच्चे मर जाते हैं ?

**श्री एम० वी० कृष्णप्पा :** बहुत सारे बच्चे मर जाते हैं ।

**Shri S. C. Samanta:** May I know which process for the manufacture of this vaccine has been accepted—the freezedrying process or the field organisation process?

**Shri M. V. Krishnappa:** It is the freezedrying process. In a dry form all this vaccine is produced.

**Sardar Hukam Singh:** We got two experts from the F.A.O. to advise on the mass manufacture of this vaccine for preventing rinderpest. Have they been able to go ahead and make some headway in that direction?

**Shri M. V. Krishnappa:** I want sufficient notice to give those details.

ROAD BRIDGE OVER SONE

***844. Dr. Ram Subhag Singh:** Will the Minister of **Transport** be pleased to state:

(a) whether the plan and estimate of the construction of road bridge over the River Sone near Dehri in Bihar have been prepared;

(b) if so, the estimated cost of constructing that bridge; and

(c) when the construction work is likely to be undertaken?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) No.

(b) Does not arise.

(c) It is hoped to commence the work within a year.

**Dr. Ram Subhag Singh:** May I know whether the plan and estimate of the construction of this road bridge over the Sone is pending before the Central Government?

**Shri Alagesan:** The plans and estimates have to be prepared hereafter. There were various sites which were investigated in this connection. Finally our engineer went there and in consultation with the Bihar engineers a site has been chosen. Even for that, further surveys are needed. After that, the estimates will be prepared and sanctioned.

**Dr. Ram Subhag Singh:** The hon. Deputy Minister referred to the final site. May I know whether any site has been selected, not finally but provisionally?

**Shri Alagesan:** The site selected now is four or five miles up-stream of the existing *anicut*. There is an *anicut* there.

OIL SEEDS SURVEY

*845. **Shri V. P. Nayar:** Will the Minister of **Food and Agriculture** be pleased to refer to the last paragraph of page 44 of the Central Oil Seeds Committee's report for the year ending 31st March, 1952 regarding a scheme for survey of minor oil seeds in Travancore-Cochin State and state:

(a) whether the Scheme referred to therein has been submitted by the Government of Travancore-Cochin State for sanction of the Government of India;

(b) if so, whether a copy of the Scheme as submitted and the sanction accorded will be placed on the Table of the House;

(c) whether Government have given financial assistance to the Travancore-Cochin State Government for implementing the Scheme; and

(d) if so, what?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):** (a) Yes.

(b) A copy each of the scheme and sanction accorded is placed on the Table of the House. [*See* Appendix IV, annexure No. 39.]

(c) Yes.

(d) 50 per cent. of the total expenditure which is Rs. 1942/-.

**Shri V. P. Nayar:** In view of the fact that cashew nut is available in large quantities and also in view of the fact that cashew nut oil is a product which has a very good market overseas, may I know whether the Government of India have done anything to find out the possibilities of extracting more cashew nut oil?

**Shri M. V. Krishnappa:** Yes. Cashew nut also falls under minor oilseeds. This survey which is being undertaken in Travancore-Cochin is likely to include this also among others like Neem-malia azadiracta; ungo-pongamia glabra; eluppa-basia latifolia etc.

**Shri V. P. Nayar:** May I know whether the Government of India has made any survey, either by themselves or through the Travancore-Cochin Government, about the possible yield of oil from minor oilseeds?

**Shri M. V. Krishnappa:** This survey will cover all the details. The Central Oilseeds Committee was very keen about the survey about minor oilseeds, and they have appointed this committee to go into it. After the report is submitted, the Central Oilseeds Committee will go into it.

**Shri V. P. Nayar:** The scheme has been placed on the Table of the House and there is no indication whatsoever about it. That is why I ask this question.

**Shri M. V. Krishnappa:** The scheme only has been placed on the Table of the House; the report has not been placed on the Table. As I said, the scheme is being executed and the survey is being made.

**Mr. Speaker:** We shall go to the next question. It is a matter of Rs. 1,000 or so.

**Shri V. P. Nayar:** It ought to have cost lakhs.

FISHING

*846. **Shri V. P. Nayar:** (a) Will the Minister of **Food and Agriculture** be pleased to refer to para. 27 of Chapter XXIII of the First Five Year Plan and state how many purse-seiners and trawlers have been put into operation so far?

(b) How many sea-going fishermen have been trained to work in these vessels so far?

(c) What are the areas now exploited by these vessels?

(d) Are they operating on experimental or commercial trawlers?

(e) Have Government got data on the fishing grounds to be exploited by these powered-vessels?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):** (a) Purse-seiners and trawlers provided for in the Plan have not yet been ordered.

(b) Does not arise.

(c) Does not arise.

(d) Does not arise.

(e) Some data on the fishing grounds in the seas off Saurashtra, Bombay, Malabar, West Bengal and Orissa coasts have already been collected.

**Shri V. P. Nayar:** May I know how the fishermen are trained or are proposed to be trained for equipping themselves for using crafts which are run by motors?

**Shri M. V. Krishnappa:** We have experts from Japan and they will give training to our fishermen. As soon as our fishermen are trained, we will send back those experts and our trained fishermen will give training to the other fishermen.

**Shri V. P. Nayar:** May I know whether Government are aware that owing to inadequate data, especially hydro-biological and oceanographic data, it is impossible under present conditions to have deep-sea fishing?

**Shri M. V. Krishnappa:** No, Sir. Fishing fields have been explored and surveyed since a long period. Even as early as 1916, four or five previous attempts were made to survey all the fishing ground. We have that data. Our own Central organisation for deep-sea fishing has a station at Bombay. They are carrying on a survey. Throughout the coast, fishing grounds have been located, and we are exploiting this area.

**Shri V. P. Nayar:** Could the hon. Minister tell us what sort of data the Government of India have regarding the Wadge Bank in Travancore-Cochin State?

**Shri M. V. Krishnappa:** The Wadge Bank was surveyed by both Indian and Ceylon Governments as early as 1904. The Ceylon Government is exploiting that Bank; we are not exploiting it.

**Shri Achuthan:** Do the Government intend to introduce trawlers of this type in the near future?

**Shri M. V. Krishnappa:** Yes. Purse-seiners and trawlers have been already ordered. Purse-seiners are a new thing to India and before ordering these vessels we wanted to get a man who is experienced in their operation, because that vessel operates in deeper waters. They will have to make a survey as to what type of vessels are necessary for our coastal and deep-sea fishing. After that, we want to get these vessels.

**Shri V. P. Nayar:** The hon. Minister was just now telling the House that it was the Ceylon Government which was exploiting the Wadge Bank. In view of the fact that Wadge Bank is in the territorial waters of India as much as it is in the territorial waters of Ceylon, are we to take it that India has given away the right to exploit the Wadge Bank to the Ceylon Government, or are we going to exploit it ourselves?

**Shri M. V. Krishnappa:** It is meant for both the Governments, and when we are not exploiting it they are exploiting it; and when we get our vessels we want to exploit it all the more.

### FISHERIES

***847. Shri V. P. Nayar:** Will the Minister of **Food and Agriculture** be pleased to refer to the priorities detailed in the Chapter on Fisheries in the First Five Year Plan under the heading 'Marine fisheries' and state:

(a) how many of the country craft have been mechanised so far;

(b) how many of the country craft are expected to be mechanised during the period of the Five Year Plan;

(c) whether harbour facilities have been made under the Plan;

(d) if so, at which places; and

(e) the amount so far spent under the Plan over items mentioned in parts (a) and (c) above?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):** (a) to (e). The information is being collected and will be laid on the Table of the House.

**Shri V. P. Nayar:** I submit, Sir, that in such cases the question need not be answered. If the information is being collected, what are we to put our supplementaries on?

**Mr. Speaker:** Order, order.

**Shri V. P. Nayar:** Then why at all should the time of the House be taken up?

**Mr. Speaker:** He is taking up the time of the House now in putting this question.

**Shri V. P. Nayar:** That is because I want to avoid such things in the future.

**Shri M. V. Krishnappa:** May I submit.....

**Mr. Speaker:** It is no use submitting. The information has to be collected.

**Shri M. V. Krishnappa:** The hon. Member.....

**Mr. Speaker:** Order, order.

AGRICULTURAL COLLEGES

*848. **Shri D. C. Sharma:** (a) Will the Minister of **Food and Agriculture** be pleased to state how many new Agricultural Degree Colleges have been started in India since the 15th August, 1947?

(b) How many of them are still unrecognised?

(c) How many States have Agricultural Degree Colleges?

(d) Is any grant given by the Central Government to any of them and if so, how much to each?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):** (a) 8, according to the information available with the Government of India.

(b) One.

(c) Thirteen excluding the Central College of Agriculture in Delhi which is maintained by the Central Government.

(d) Nil.

**Shri D. C. Sharma:** May I know, Sir, if it is the intention of the Ministry to provide more agricultural colleges in those States which are called surplus States?

**The Minister of Food and Agriculture (Shri Kidwai):** The State Governments are making arrangements to open colleges in such States. For instance, Orissa is contemplating to start an agricultural college in Orissa, and Punjab has got a scheme to start another college in the Punjab.

**Shri D. C. Sharma:** May I know, Sir, if anything is being done to revise the syllabus of these colleges in order to provide good workers for our community projects?

**Shri Kidwai:** The Orissa Government is contemplating to start a college with training for Extension Service, and it will keep in touch with the agricultural developments around the college area.

**Shri D. C. Sharma:** May I know, Sir, if the Central Government is contemplating to give some of our agricultural projects to these colleges for research investigation?

**Shri Kidwai:** If there is such a proposal, we will consider it sympathetically.

W.H.O.

*849. **Shri D. C. Sharma:** (a) Will the Minister of **Health** be pleased to state what research projects in India have been conducted so far under the

auspices of the World Health Organisation?

(b) How many of these are still in progress?

**The Deputy Minister of Health (Shrimati Chandrasekhar):** (a) Three research projects *viz.* 'Epidemiological studies in Cholera in West Bengal', 'Plague Survey Project in U.P.', and 'Special Research Project in Tuberculosis including B.C.G. Vaccination at Madanapalle' have so far been conducted in association with the World Health Organisation.

(b) Except for the Plague Survey Project in U.P. which is not functioning for the time being owing to the departure of the World Health Organisation expert, the other two projects are in progress.

**Shri D. C. Sharma:** May I know, Sir, if it is under the contemplation of the Ministry to undertake research in leprosy in collaboration with the W.H.O.?

**Shrimati Chandrasekhar:** Not with the collaboration of the W.H.O., but we are going to establish a Research Institute in Madras.

**Shri D. C. Sharma:** May I know, Sir, if it is under the contemplation of the Ministry to undertake research with the collaboration of the W.H.O., into those diseases which are peculiar to the people who live in mountainous or sub-mountainous regions?

**The Minister of Health (Rajkumari Amrit Kaur):** There is no such project before the Ministry at the moment, but we do take W.H.O. assistance whenever it is possible.

**Shri D. C. Sharma:** May I know, Sir, if the Ministry is in communication with the W.H.O. for conducting any new research projects?

**Rajkumari Amrit Kaur:** They may help us later on.

EFFICIENCY BUREAU ON RAILWAYS

*850. **Shri D. C. Sharma:** Will the Minister of **Railways** be pleased to state:

(a) whether the Efficiency Bureau at the Centre has been set up; and

(b) whether there is a proposal to have similar bureaux at the headquarters of every Zonal Railway?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) It is expected to be set up in the beginning of January 1954.

(b) No, there is no proposal at present to have similar Bureaux at Zonal Railway headquarters.

**Shri D. C. Sharma:** May I know, Sir, what the functions of this Efficiency Bureau will be?

**Shri Alagesan:** It will be a sort of expert organisation which will undertake investigation of specific problems of Railway working in the field of operation, workshop outturn etc., with a view to systematising practices and securing economies.

**Shri D. C. Sharma:** May I know, Sir, if the problems of industrial management will also come under the aegis of this Bureau?

**Shri Alagesan:** I do not exactly understand the relation between industrial management and the Railway. They will deal with all problems relating to Railway working.

**Shri D. C. Sharma:** I mean the province relating to transport workers and all that.

**Shri Alagesan:** Staff problems also they may take up and deal with.

**Shri D. C. Sharma:** May I know if the problem of human relations between Railway officials and passengers will also be under the aegis of this Bureau?

**Mr. Speaker:** Can he say anything?

**Shri Alagesan:** I think the Minister is the link for that.

INLAND WATER TRANSPORT

*851. **Shri K. P. Sinha:** (a) Will the Minister of **Transport** be pleased to state whether Mr. J. Surie, United Nations expert for inland water transport who had come to study the practicability of introducing river transport on the Ganga has submitted his final report?

(b) What are his main recommendations?

(c) Do Government propose to implement them?

**The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan):** (a) The Government of India have received a copy of a preliminary report submitted by Mr. Surie to the United Nations Technical Assistance Administration.

(b) Mr. Surie's main recommendation relates to a pilot project for the Ganga and Ghogra rivers with two tugs and eight barges.

(c) Yes.

**Shri K. P. Sinha:** May I know the period of his stay and the total expense over him?

**Shri Shahnawaz Khan:** He stayed in India from 23rd October to December. I cannot remember the expenses on him, but I think it is not more than Rs. 8,000 in all.

**Shri S. C. Samanta:** May I know, Sir, whether it is a fact that Government had settled that the recommendations coming from the United Nations Technical Assistance Administration would be implemented from April last, and if so whether the matter has been taken up?

**Shri Shahnawaz Khan:** The preliminary report submitted by Mr. Surie has been considered by the Water Transport Board, and they have set apart a sum of Rs. 15,000 as salary for an officer who would process the whole project. Mr. Surie has also been requested to make out the designs and complete the drawings of the barges and tugs.

**Sardar Hukam Singh:** May I know whether, independently of Mr. Surie's recommendation, our Central Water and Power Commission has undertaken any research so far as this business is concerned?

**Shri Shahnawaz Khan:** An officer from that Department has been deputed for this work already.

SELF-SUFFICIENCY IN FOODGRAINS

*852. **Shri K. P. Sinha:** (a) Will the Minister of **Food and Agriculture** be pleased to state whether it is a fact that this year the country is expected to be self-sufficient so far as rice and wheat are concerned?

(b) Are Government going to revise their food import policy?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):** (a) and (b). It is expected that during 1954, it will be possible to meet the rice requirements of the deficit States from internal sources and no rice will be imported except small quantities which the private trade may import under the relaxations recently allowed or the rice that the Government may import for building up a Central Reserve.

As regards wheat both the Centre and the State Governments hold large stocks at present and it appears that it will be possible to manage by importing not more than our quota of one million tons under the International Wheat Agreement.

**Shri K. P. Sinha:** May I know the quantity of reserve surplus that will be carried over for the next year?

**Shri M. V. Krishnappa:** It will be somewhere about 16 lakhs of tons, including rice, wheat and other things.

**Shri Nanadas:** May I know how and on what basis the conclusion that the country will be self-sufficient in rice and wheat this year, has been arrived at?

**Shri M. V. Krishnappa:** On physical stock basis. We have got demands for about 11 lakhs of tons of rice from the deficit States, and we expect about 12 lakhs of tons surplus from the surplus States. So we hope to meet the total demands of the deficit States, from the surplus States.

**Shri K. P. Sinha:** May I know the expected increase in production of rice this season, as compared with that, of last year?

**The Minister of Food and Agriculture (Shri Kidwai):** The report of the final survey has not yet been received, but we hope it will be about 6 lakhs of tons more than that of last year.

WOOL

*853. **Sardar Hukam Singh:** (a) Will the Minister of **Food and Agriculture** be pleased to state whether any research stations have been opened in the Himalayan regions for production of fine wool in our country?

(b) What is the total annual production of wool in our country and how far is it short of our demand?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):** (a) Yes; at Pipalkoti in the U.P. hills and Banihal in Jammu and Kashmir State. A third centre will be opened in Himachal Pradesh as soon as a site is selected.

(b) The annual production of raw wool in the country is tentatively estimated to be 52 million lbs. Total consumption of indigenous raw wool in the country comes to about 24 million lbs. but the needs of the worsted section of the mill industry have to be met chiefly by imports of fine variety of raw wool, wool tops and worsted yarn to the extent of 11 million lbs.

**Sardar Hukam Singh:** How does our indigenous wool compare with that imported from outside?

**Shri M. V. Krishnappa:** It does not compare favourably. That is why we are importing fine varieties of wool.

**Sardar Hukam Singh:** Has any research been made by way of experiments to find out the potentialities that our indigenous sheep have for producing fine wool?

**Shri M. V. Krishnappa:** After having found out that our indigenous wool is inferior to the imported wool, we are doing experiments to improve the quality of our indigenous wool.

**श्री भक्त दर्शन :** क्या मैं जान सकता हूं कि हिमालय के इलाक़ में जो रिसर्च स्टेशन खोले गये हैं, उनसे अबतक क्या लाभ उठाया गया है और कितने वर्षों में हम ऊन के उत्पादन में स्वावलम्बी होने की आशा रखते हैं ?

**Shri M. V. Krishnappa:** I want notice for that.

**Sardar Hukam Singh:** May I know whether there are any particular centres where such research is particularly being carried out to find out these potentialities as to whether and in what way we can improve the wool of our indigenous sheep?

**Shri M. V. Krishnappa:** I have already stated that we have a centre at Pipalkoti in the U.P. Hills, with a fleece testing laboratory at Khalso in the district of Dehra Dun, and apart from this, we have got in Banihal Pass a station where we have developed the Kashmir-merino sheep. These rams are being developed, and distributed throughout the country. Now we have developed a new scheme, according to which we develop both rams and ewes, and distribute them to the shepherds throughout the country.

CALCUTTA SUBURBAN RAILWAYS

*855. **Shri S. C. Samanta:** Will the Minister of **Railways** be pleased to state:

(a) which portion of the old Bengal Nagpur Railway has been included for survey by the team of

officers appointed to prepare a scheme for electrification of the Calcutta Suburban Railways;

(b) whether any similar survey was made in the past;

(c) if so, when; and

(d) the past recommendations?

**The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan):** (a) The main line from Howrah to Chakradharpore and all important branches in the coal field carrying heavy coal and other mineral traffic have been included in the survey.

(b) to (d). No detailed survey of this nature has been made in the past. The Calcutta Terminal Facilities Committee which carried out investigations in 1947 recommended the electrification of the section Howrah—Machada as the first step of the electrification from Howrah to Khargpur.

**Shri S. C. Samanta:** May I know the additional terms of reference to this Committee, over and above those for the S. N. Roy Committee, to which a reference was made by the hon. Minister just now?

**Shri Shahnawaz Khan:** The main task of the Roy Committee was to find out the possibilities of a circular railway in Calcutta. This Committee deals with the entire industrial belt in Bihar and Bengal.

**Shri S. C. Samanta:** May I know whether Government have laid down any time-limit for this survey?

**Shri Shahnawaz Khan:** No definite time-limit can be fixed, but it is expected that the work will be over in a period of about nine months.

"ANSON" AEROPLANES

*856. **Sardar Hukam Singh:** Will the Minister of **Communications** be pleased to state what service have the 'Anson' aeroplanes been put to since their purchase in 1949?

**The Deputy Minister of Communications (Shri Raj Bahadur):** Ansons are being used for imparting training in flying twin-engined aircraft and navigation at the Civil Aviation Training Centre, Allahabad.

**Sardar Hukam Singh:** Were they ever used for commercial purposes or for freight business?

**Shri Raj Bahadur:** No, Sir. They cannot be used for these purposes.

**Sardar Hukam Singh:** What was the number of Ansons purchased, what was the cost that we incurred on their purchase, and from which country were they purchased?

**Shri Raj Bahadur:** The number of Ansons we purchased is 12, and the total cost to us was in the neighbourhood of Rs. 35 lakhs, *plus* Rs. 9 lakhs for spares.

**Sardar Hukam Singh:** Is it a fact that most of the time they have been out of service, and could not be used?

**Shri Raj Bahadur:** It is not a fact, that they have been out of service. As a matter of fact, in 1947-48—we know something of that period, and what it was like at that time—it was proposed that the Aviation Department should train as many as 300 pilots per annum, and for that purpose, it was felt that we should have some twin-engined aircrafts for that purpose. The Dakota was supposed to be too costly, so there were only two alternatives before us, the Ansons and the Beechcrafts. The Beechcrafts could be purchased only by the expenditure of dollars. Therefore the choice fell in favour of Ansons. Meanwhile the situation became calmer, and there was cease-fire, and we found that they were not required to that degree or extent which we had initially proposed.

**Sardar Hukam Singh:** Are they being used even at present?

**Shri Raj Bahadur:** They are being used for training purposes, as I said earlier.

TOBACCO

*857. **Shri C. R. Chowdary:** (a) Will the Minister of **Food and Agriculture** be pleased to state the total acreage under tobacco cultivation in the Andhra State in the 1952-53 Crop Year?

(b) What was the produce during the same period?

(c) How much of the stock has accumulated in the godowns of growers for want of marketing facilities?

(d) What steps have been taken to create the necessary facilities for the disposal of the stock?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):** (a) 252,300 acres.

(b) Production has been estimated at 73,700 tons.

(c) About 50 million pounds mostly of low grades are estimated to have remained unsold with producers and middlemen. This estimate includes the carry-over from previous seasons.

(d) Accumulation of stocks is not wholly due to lack of internal and export marketing facilities. The demand for the particular types of varieties of tobacco lying unsold is less than its supply despite the fall in production since 1950-51. Government have taken steps to encourage the utilisation of low grade tobacco for the extraction of nicotine and as manure. Steps have also been taken to develop export markets. These include the appointment of an officer in U.K. for the development of export trade in that country and on the continent, publicity through Exhibitions, Show-rooms and contacts with importers and dissemination of information on qualities and prices.

**Shri C. R. Chowdary:** What steps have been taken to encourage the industry of extraction of nicotine?

**Shri M. V. Krishnappa:** Some private companies are trying it, and we are encouraging them.

**Shri S. V. L. Narasimham:** May I know whether the officer to be appointed in U.K. has taken charge?

**Shri M. V. Krishnappa:** He is appointed by the Ministry of Commerce and Industry. So this question should be addressed to them.

**Dr. Rama Rao:** In view of the recent Indo-Soviet Trade Pact, what steps have Government taken to encourage trade in tobacco?

**Shri M. V. Krishnappa:** We want to explore all possibilities of barter with every country.

**Shri Dabhi:** How much nicotine was produced during the year 1952-53?

**Shri M. V. Krishnappa:** This question also must be referred to the Ministry of Commerce and Industry.

AUXILIARY MEDICAL AND PUBLIC HEALTH ASSISTANTS

*858. **Dr. Rama Rao:** (a) Will the Minister of **Health** be pleased to state whether the Central Government have circulated a scheme to train persons as auxiliary medical and public health assistants for rural areas?

(b) What are the details of the Scheme?

(c) What is the estimated expenditure on the Scheme?

**The Deputy Minister of Health (Shrimati Chandrasekhar):** (a) A tentative scheme containing proposals to train persons as auxiliary medical and public health assistants for rural areas has been circulated to the States, who have been asked to offer comments on it.

(b) As the scheme has not yet been finalised, and will be discussed at the next meeting of the Council of Health Ministers, it is not considered advisable to publish the details at present.

(c) No accurate estimate of expenditure can be made till the scheme is finalised.

**Dr. Rama Rao:** Which States have accepted this proposal?

**Shrimati Chandrasekhar:** We are still awaiting replies from the States.

**Dr. Rama Rao:** May I know whether it is a fact that the Central Government have offered only a small portion of the expenditure, whereas some of the States like Madras have asked for 50 per cent.?

**The Minister of Health (Rajkumari Amrit Kaur):** That is not correct, Sir. No State has asked for financial help yet, and the matter will be discussed in all its aspects, and in all details in February 1954, when the Council of Health Ministers meet.

**Shri Dhulekar:** Is the hon. Minister aware that there is great opposition to this scheme, because this scheme has been launched for crushing the Ayurvedic practitioners in the rural areas?

**Shrimati Chandrasekhar:** No, Sir.

**Mr. Speaker:** He does not attribute any motives, but says that the result will be to crush the Ayurvedic practitioners.

**Rajkumari Amrit Kaur:** Certainly not, Sir. In fact I have even said to the State Ministers that any Ayurvedic practitioner who wishes to come in and take this training should be employed in the scheme.

MANUFACTURE OF X-RAY PLANTS

*859. **Dr. M. M. Das:** Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that the Minister of Health, during her visit to Calcutta in August, 1953, inspected a factory where X-Ray plants and other electro-medical apparatus are manufactured;

(b) whether it is a fact that different kinds of X-Ray plants and electro-medical apparatus manufactured by this factory have already been supplied to various institutions, hospitals and universities in India; and

(c) how the costs of X-Ray plants and other medical apparatuses produced by this factory compare with those of imported ones?

**The Minister of Health (Rajkumari Amrit Kaur):** (a) Yes.

(b) M/s. Radon House, Calcutta had supplied one High Tension Transformer together with connected accessories to the Principal, Indian Schools of Mines and Geology, Dhanbad in 1952, against an order placed on them by the Directorate General of Supplies & Disposals. Information regarding the supplies made by this firm to other institutions is not available.

(c) Prices of X-Ray Plants and High Tension Transformers quoted by the firm against certain tenders issued by the Directorate General of Supplies & Disposals compared favourably with imported stores.

**Dr. M. M. Das:** May I know how the quality of the product of this firm compares with those of foreign makers?

**Rajkumari Amrit Kaur:** Well, Sir, the opinion given to me by persons who know is that they are probably not quite as good but that they are serviceable and, of course, they are cheaper.

SUPPLY OF RICE TO WEST BENGAL

*861. **Shri B. K. Das:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) what quantities of rice have been procured during the year 1953 in West Bengal under the levy system from individual producers, from rice mills and by purchase in the open market;

(b) the total quantity of rice supplied to the State by the Centre during the year 1953 and how much of it, from the imported rice; and

(c) what quantity of rice will be supplied to the State for the year 1954 to meet its rationing commitments?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):**

| (a) | (In '000 tons). |
|---|---|
| (i) Procurement from individual producers. | 117 |
| (ii) Procurement from rice mills | 48 |
| (iii) Purchases in the open market | 42 |
| TOTAL | 207 |

(b) During the current year, a total quantity of 221 thousand tons of rice has so far been allotted to West Bengal out of which 20 thousand tons are overseas rice.

(c) Full requirements which may be 20 to 30 thousand tons per month.

**Shri B. K. Das:** May I know whether there is any idea of increasing the quantum of ration in the rationed area in West Bengal and whether that matter has been taken into consideration while computing the quantity that will be necessary to meet the demand of the State?

**Shri M. V. Krishnappa.** Sir, in West Bengal, in the Calcutta rationed area, we have already increased the quantum from 4½ ozs. to 6 ozs.; and this year, over and above this rise in the ration shops, we have made rice available for all consumers in what are known as special shops, where one can purchase over and above the 6 oz. which they can get from the ration shops.

**Shri B. K. Das:** May I know what steps have been taken to remedy the complaints about the quality of rice that has been supplied?

**The Minister of Food and Agriculture (Shri Kidwai):** This year the surplus States will supply paddy so that it can be husked or milled according to the wishes of the consumers in Bengal.

**Shri B. K. Das:** May I know whether there will be any purchase this year in the open market according to the scheme that was given out some time ago that if the prices fall below a certain level there will be purchase by the State Government in the open market?

**Shri Kidwai:** It has already started in two districts and it will be done in other areas also.

**Shri B. K. Das:** What is the level of price that will be taken into consideration for this purchase?

**Shri Kidwai:** It will be round about Rs. 7-8 per maund of paddy.

**Shri S. C. Samanta:** May I know whether Government have come to any final decision about the supply of paddy instead of rice to West Bengal?

**Shri Kidwai:** Yes.

**Shri B. K. Das:** How will this quantity which is expected to be purchased in the open market be utilised?

**Shri Kidwai:** It will be stored there as stock for emergencies.

HINDI TELEGRAM SERVICE

*862. **Shri Bhagwat Jha Azad:** (a) Will the Minister of **Communications** be pleased to state whether it is a fact that increasing use is being made of the Hindi telegram service?

(b) What is the number of telegrams booked in the years 1951-52 and 1952-53?

**संचरण उपमंत्री (श्री राज बहादुर) :** (क) हां ।

(ख) १९५१–५२ ७,८०१
१९५२–५३ १८,६३९

**श्री भगवत झा आज़ाद :** क्या आप बता सकते हैं कि अनुमानत: कुल तारघरों में से कितनी संख्या में अभी हिन्दी में तार भेजने की व्यवस्था है ?

**श्री राज बहादुर :** कुल तारघरों की संख्या जिन से हिन्दी में तार भेजे जा सकते हैं ४९८ है ।

**श्री भगवत झा आज़ाद :** क्या जो तारघर देहातों में खोले गये हैं उन से हिन्दी में तार भेजने की व्यवस्था है ? और अगर है तो कितने तारघरों में ?

**श्री राज बहादुर :** नया उपाय जो हम ने हिन्दी में तार भेजने का रक्खा है वह टेलिफ़ोन द्वारा रखा है जिसे फोनोकोम (phonocom) सर्विस कहते हैं । जहां जहां हिन्दी

भाषा भाषी क्षेत्रों में टेलिफोन की व्यवस्था हो जायेगी शनैः शनैः वहां से हिन्दी में तार भेजने की व्यवस्था हो जायेगी ।

**श्री भगवत झा आजाद** : मैं यह जानना चाहता हूं कि देहातों में जो तारघर खोले गये हैं वहां से हिन्दी में तार भेजने की व्यवस्था है या नहीं क्योंकि देहात में ज्यादातर हिन्दी जानने वाले लोग रहते हैं ?

**श्री राज बहादुर** : इस दिशा में विचार किया जा रहा है । और जैसा मैं ने निवेदन किया, जैसे ही टेलीफोन की व्यवस्था हो जायेगी वैसे ही हिन्दी के तारों की व्यवस्था हो जायेगी ।

**श्री आर० एन० सिंह** : क्या पार्लियामेन्ट में जो पोस्ट आफिस है, उस में भी हिन्दी में तार भेजने की व्यवस्था करेंगे ?

**श्री राज बहादुर** : इस सुझाव को ध्यान में रखा जायेगा । वैसे कुछ व्यवस्था तो है ।

MADRAS PORT

*863. **Ch. Raghubir Singh:** (a) Will the Minister of **Transport** be pleased to state whether it is a fact that Madras Port is facing the problem of sand movement?

(b) If so, what steps has the Port Trust taken so far?

(c) How far has it been successful?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) Yes.

(b) and (c). A groyne or "Sand Screen" was extended in 1924-28 from the eastern edges of the southern breakwater for about 700 ft. into the sea and further extended in 1951-52 by another 216 feet. Sand pumping and dredging are also in progress and by these measures the required depth of water at the entrance to the harbour has been maintained.

FIXATION OF SUGAR-CANE PRICE

*864. **Shri Bibhuti Mishra:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the nature of the Scheme envisaged in his inaugural speech at the Tenth Annual Convention of the Deccan Sugar Technologists Association held at Harigaon (Ahmadnagar) on the 11th October, 1953 regarding the fixation of price of sugar-cane based on recovery;

(b) whether this suggestion is being considered by Government; and

(c) if so, whether Government envisage the setting up of any suitable and impartial machinery to find out the real recovery in each of the sugar factories?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):** (a) to (c). No particular scheme was envisaged for payment of cane price on the basis of sugar recovery in the inaugural address to the Deccan Sugar Technologists Association. Only the need for evolving a fool-proof formula for the purpose was stressed on the Technicians. No such formula has so far been evolved. The question of introducing the system of payment of cane price on recovery basis is under the consideration of the Government, and the question of setting up a suitable and impartial machinery to determine real recovery in sugar factories will be considered when such formula is evolved and it is finally decided to adopt the system of paying cane price on recovery basis.

**श्री विभूति मिश्र** : इस फार्मूले को सरकार कितने दिनों में काम में लायेगी ?

**खाद्य तथा कृषि मंत्री (श्री किदवई)** : सरकार तो इस को आज भी काम में ला सकती है लेकिन इस से आनरेबल मेम्बरों को इतमीनान नहीं होगा, इसलिये कुछ देरी की जाती है ।

**श्री विभूति मिश्र** : सरकार केन के लिये जो फूलप्रूफ फार्मूला बनाना चाहती है, उस में कितनी देरी लगेगी ?

**श्री किदवई** : यह बहुत जगह रायज हो चुका है । मद्रास स्टेट में सिस्मा फार्मूला निकला है उस से जितनी सरकार को जरूरत होती है उस के हिसाब से केन के दाम दिये जाते हैं ।

**Shri Shivananjappa:** May I know whether the SISMA formula applies to Mysore?

**Shri Kidwai:** The Mysore factory is not working this year. Last year, even in spite of the reduction in cane prices they continued to pay Rs. 1-12, the previous year's price. Therefore, it does not arise.

**Shri Jhunjhunwala:** Since how many years this question has been considered by the Government and may I know whether this policy has been considered in relation to U.P. and Bihar?

**Shri Kidwai:** As I said, that formula has been evolved in South India where the minimum prices required by the Government are paid at the time of the purchase of cane and later on they are paid something in addition according to the price that the sugar fetches. I understand that some 3 or 4 annas per maund is being paid additionally this year. It is difficult to apply this to the Bihar area or to Punjab or Rajasthan where the recovery is admittedly low. In some cases the tenant may be called upon to pay back something if this formula is applied. Therefore, as the quality of cane improves this will be extended to other areas.

SINGARENI COLLIERIES

*865. **Shri T. B. Vittal Rao:** (a) Will the Minister of **Labour** be pleased to state the reasons for not providing an ambulance at Andrews Incline No. 21, Yellander, Singareni Collieries Company, as required by the Mines Act, 1952?

(b) What steps have so far been taken by Government to enforce this provision of the Act and if so with what result?

**The Minister of Labour (Shri V. V. Giri):** (a) An ambulance car has been provided at No. 21 Incline.

(b) Does not arise.

**Shri T. B. Vittal Rao:** May I know when the ambulance at Yellander was provided; was it only after they came to know that a question has been put in the House of the People?

**Shri V. V. Giri:** In all probability; I do not know.

NOORI SUGAR WORKS, BHATNI

*866. **Shri Bishwa Nath Roy:** Will the Minister of **Food and Agriculture** be pleased to state whether any steps have been taken by Government for getting Noori Sugar Works, Bhatni, District Deoria (U.P.) in working order?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):** No.

**Shri Bishwa Nath Roy:** May I know, Sir, whether there is any proposal before the Government for taking over the factory under management of Govt. Controller?

**Shri M. V. Krishnappa:** The U.P. Government has considered it not necessary and they have diverted the cane to some other factory.

**Shri Bishwa Nath Roy:** May I know, Sir, whether the attention of the Government has been drawn to the fact that the continued closure of the factory has resulted in much decrease in the cultivation of sugar-cane in that area?

**The Minister of Food and Agriculture (Shri Kidwai):** That is not so, because there are other factors to be reckoned with. Sugar-cane of that area can be sent to other areas.

COACHES

*868. **Shri Sinhasan Singh:** Will the Minister of **Railways** be pleased to state the respective cost of building of air conditioned Second Class, Inter Class and Third Class coaches and the number of passengers that they are designed to carry with their respective revenue returns?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** A statement giving the information is placed on the Table of the House. [*See* Appendix IV, annexure No. 40.]

**Shri Sinhasan Singh:** From the statement, it appears that the revenue, that is, the income received from third class is nine to 10 times, from the inter class, four to five times, and from the second class two to three times, that of the air-conditioned coach. May I know, Sir, what are the reasons that prompted the Government to make these air-conditioned coaches at a heavy loss of revenue when compared to the income derived from the other classes?

**Shri Alagesan:** I have followed the question only partly.

**Mr. Speaker:** The point is this: that the income received is not in proportion to the cost. Why did they incur that cost?

**Shri Alagesan:** The income received cannot be in proportion to the cost of the coach. I do not think the rationale behind the formula suggested by the hon. Member is correct.

**Shri Sinhasan Singh:** It has been stated that the return per mile for air-conditioned coaches is Rs. 2-12-0, when a third class coach, which costs only Rs. 1,20,000, has a return of Rs. 2-5-0 per mile. The return for air-conditioned coaches is only Rs. 2-12-0 per mile whereas you are spending Rs. 2,61,000 on building one air-conditioned coach. Compared to the cost on air-conditioned coaches, the return from second, inter and third class coaches come to several times—10 times more—than the air-conditioned coach. So, why this air-conditioned coach was built at a cost which is a heavy loss?

**Mr. Speaker:** He is carrying on an argument.

**Shri Dabhi:** May I know, Sir, whether the air-conditioned and second class coaches are allowed to carry more passengers than they are designed to carry as in the case of third class coaches?

**Shri Alagesan:** In day-time, certainly it happens that they carry more passengers than is stipulated.

**Shri Nanadas:** May I know whether there is any proposal to introduce air-conditioned coaches—air-conditioning arrangements—in the third class?

BRIDGES ON NORTH EASTERN RAILWAY

*871. **Shri Bibhuti Mishra:** (a) Will the Minister of **Railways** be pleased to state whether Government have received any representation from the public of North Bihar flood-affected area for widening railway bridges and culverts and if necessary for constructing additional bridges and culverts on the North Eastern Railway to allow flood water to pass quickly?

(b) If so, do Government propose to take any steps in the matter?

**The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan):** (a) and (b). No general representations have been received but four specific complaints are under investigation by the Railway.

**श्री विभूति मिश्र** जहां जहां बाढ़ के समय रेलवे लाइन के कारण लोगों को क्षति हुई है, अगर वहां के लोग सरकार से प्रार्थना करें तो क्या सरकार वहां पर पुल बना देगी ?

**श्री शाहनवाज खां :** उस के ऊपर बड़ी हमदर्दी से ग़ौर होगा ।

**Shri S. N. Das:** May I know the names of places from where specific representations have been made?

**Shri Shahnawaz Khan:** One is from Shri Lakshmi Narain Singh, Member of the Legislative Assembly, Bihar: the other is from the residents of village Bhadakhurd. The third one is from Shri Jhulan Sinha, M.P., Gopalganj, and the fourth one is from Shri Badri Nath, Village Maugrauny Tola, Distt. Darbhanga.

PAYMENT OF WAGES ACT

*873. **Shri Tushar Chatterjea:** Will the Minister of **Labour** be pleased to state:

(a) whether Government have received any representation from Trade Unions regarding the advisability of the application of the Payment of Wages Act on workers employed under the Port Commissioners of Calcutta; and

(b) if so, what steps Government propose to take in the matter?

**The Minister of Labour (Shri V. V. Giri):** (a) The All India Port and Dock Workers Federation had represented in 1948 that the Payment of Wages Act, 1936, should be applied to dock workers including those in the Calcutta Port.

(b) The Act already applies to factory and railway workers in the Calcutta Port. The other dock workers employed by the Calcutta Port Commissioners are at present paid wages on a piece-rate system on the basis of tonnage handled by them and consequently difficulties experienced in computing and paying their wages within the time specified in the Payment of Wages Act. The Chief Labour Commissioner (Central) has, therefore, been asked to study the system of payment in this Port and to report how the difficulties in applying the Act to the workers can be overcome His reply is awaited.

**Shri Tushar Chatterjea:** May I know when the reply is expected?

**Shri V. V. Giri:** As early as possible.

**बलिया के सदर डाकघर में गबन**

*८७४. **श्री आर० एन० सिंह :** क्या **संचरण** मंत्री यह बताने की कृपा करेंगे :

(क) सुपरिन्टेन्डेन्ट, डाकघर, बनारस द्वारा ३१ अक्टूबर, १९५३ को बलिया सदर डाकघर के कोषागार का निरीक्षण करते समय लगभग कितनी राशि के गबन का पता लगाया गया है;

(ख) उस गबन में किन किन कर्मचारियों का हाथ है ;

(ग) सरकार इस सम्बन्ध में क्या करने जा रही है;

(घ) क्या यह सच है कि उसी डाकघर के कोषागार में दो-तीन वर्ष पहले भी चोरी हुई थी;

(ङ) यदि सच है, तो उस चोरी में किन व्यक्तियों का हाथ था; तथा

(च) सरकार ने उनके विषय में क्या किया था ?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) Rs. 17,480/6/-.

(b) Sohan Lal (Parshad) treasurer —an employee of Shri Raj Kumar Singh, the Treasury Contractor.

(c) The matter is under police investigation. Shri Sohan Lal (Parshad) Treasurer and his assistant have been arrested. The police have since submitted a charge sheet.

(d) Yes, on the night between 14th/15th January, 1952.

(e) and (f). The then Postmaster Shri Jadubans Sahai was suspected to have a hand in the theft. Police treated the case as 'untraced'. A sum of Rs. 2,100/- was ordered to be recovered from the Postmaster.

**श्री आर० एन० सिंह** : क्या मैं जान सकता हूं कि जो पहले पोस्टमास्टर पकड़े गये थे और जिन पर शुबहा हुआ था उन के विषय में क्या हुआ ?

**श्री राज बहादुर** : मैं ने निवेदन किया कि वह ट्रेजरी का मामला था । उसमें तो पोस्टमास्टर नहीं पकड़े गये थे । उसमें तो सोहन लाल प्रसाद ट्रेजरर पकड़े गये थे ।

**श्री आर० एन० सिंह** : क्या मैं जान सकता हूं कि पहले की अपेक्षा आजकल क्यों पोस्ट आफिसेज में ज्यादा चोरियां हुआ करती हैं ?

**Mr. Speaker:** That would be too general a question.

**श्री राज बहादुर** : आप का ख्याल ग़लत है ।

ADULT CIVILIAN TRAINING SCHEME

*875. **Shri C. R. Chowdary:** (a) Will the Minister of **Labour** be pleased to state the number of training institutes under the Adult Civilian Training Scheme started in July, 1950 in the areas which are now in Andhra State?

(b) What is the number of trainees who received diploma in craftsmanship in those institutes?

(c) how many of them are employed in State and Central Services?

**The Minister of Labour (Shri V. V. Giri):** (a) 3.

(b) 379.

(c) The information is not available as it is not possible to follow-up the careers of *ex*-trainees.

**Shri C. R. Chowdary:** May I know whether the people who have received training and this diploma are getting their names registered in the employment exchange?

**Shri V. V. Giri:** Some of them are registering their names in the employment exchanges and those whose names are not there—we presume that they have got appointments.

**Shri Nanadas:** May I know, Sir, the money spent in these three institutions for the training of these 300 and odd candidates?

**Shri V. V. Giri:** I have not got the information. I will be glad to supply it to the hon. Member afterwards.

**Shri C. R. Chowdary:** May I know if the scheme is still in vogue?

**Shri V. V. Giri:** Yes, Sir.

TEA GARDENS

*876. **Shri Dasaratha Deb:** Will the Minister of **Transport** be pleased to state:

(a) whether the tea gardens of Tripura are linked up with the Divisional towns by motorable roads;

(b) whether it is a fact that due to lack of such roads, the industry is suffering financial loss; and

(c) what steps Government propose to take to build up such roads?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) Yes, Sir. Most of the Tea Gardens are linked up with the Divisional Towns by fair weather motorable roads.

(b) Government have no definite information in this respect.

(c) Fair weather motorable roads are being constructed where they do not exist.

**Shri Dasaratha Deb:** May I know whether Government have received representations from the owners of tea gardens to construct roads from the tea gardens to link them with the main roads through the Government's land with their own expenses which will be repaid by the Government later on?

**Shri Alagesan:** I am not aware of that representation.

RAILWAY USERS' CONSULTATIVE COMMITTEE

*877. **Shri Muniswamy:** (a) Will the Minister of **Railways** be pleased to state whether it is a fact that a meeting of the Railway Users' Consultative Committee of the Southern Railway was held at Madras in the second week of November, 1953?

(b) If so, what were the subjects discussed at the meeting?

(c) What were the decisions arrived at in this meeting?

**The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah Nawaz Khan):** (a) Yes.

(b) and (c). A copy of the minutes of the meeting giving the subjects discussed and their disposal is placed on the Table of the House. [*Copy placed in the Library. See* No. S—205/53.]

**Shri Muniswamy:** May I know how many officials and non-officials attended this meeting?

**Shri Shahnawaz Khan:** The full detail is given in the papers which are laid on the Table.

**Shri Raghavaiah:** May I know whether the non-officials are nominated or they will be elected to these bodies?

**Shri Shahnawaz Khan:** These bodies are purely consultative and there is no election.

**Shri Muniswamy:** May I know, Sir, whether the recommendations and suggestions and decisions arrived at at this meeting will be implemented?

**Mr. Speaker:** Has he read the papers laid on the Table? Next question.

SUGAR-CANE CULTIVATION

*880. **Shri K. C. Sodhia:** Will the Minister of **Food and Agriculture** be pleased to state what steps are being taken to improve the sucrose content of U.P. and Bihar sugar-cane?

**The Minister of Food and Agriculture (Shri Kidwai):** Research and development schemes are in progress in U.P. and Bihar as also in other States to improve the sucrose content in cane and also to obtain higher yields of cane per acre.

**Shri K. C. Sodhia:** How long have these experiments been carried out?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):** I want notice of that question.

**Shri K. C. Sodhia:** Have they effected any improvement so far?

**Shri Kidwai:** In some areas they have, because I find that last year the Bihar Government awarded prizes for highly developed sugarcane.

**Shri K. C. Sodhia:** Have Government any idea to apply the Deccan or Madras formula to Bihar?

**Shri Kidwai:** Yes, if we are sure that the results would be beneficial to the producer.

BRIDGE OVER RIVER BHARATI

*881. **Shri K. P. Tripathi:** (a) Will the Minister of **Transport** be pleased to state whether representations were made to him during his recent visit to Assam for the construction of a bridge over the river Bharati?

(b) What steps have been taken in the matter?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) The hon. Member is referring presumably to the Bhareli river on the North Trunk Road in Assam. If so, the answer is in the affirmative.

(b) An official request for a grant has just been received from the State Government and the matter is under consideration.

**Shri K. P. Tripathi:** What will be the cost involved?

**Shri Alagesan:** It is estimated to be Rs. 60 lakhs.

**Shri K. P. Tripathi:** What will be the grant and what will be the loan?

**Shri Alagesan:** The hon. Minister has already promised to look into this question very favourably. Perhaps, he will be able to make a grant to the tune of 75 per cent. of the estimated amount

WHEAT

*882. **Shri K. P. Tripathi:** (a) Will the Minister of **Food and Agriculture** be pleased to state the retail price of *atta* in Assam as compared to that in Calcutta?

(b) If there is any difference, what are the reasons for the same?

(c) What is the pooled price of wheat?

(d) What are the States in which wheat is delivered at pooled price?

(e) Are there any States into which wheat is not delivered at pooled price?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):** (a) The retail prices of *atta* in Assam and Calcutta are:

| | Rs./md. | |
|---|---|---|
| ASSAM—Urban areas | 24-6-0 | For Government commitments *viz.* requirements of Industries, Assam Rifles Battalion, North East Frontier Agency areas, etc. |
| Rural areas | 25-0-0 *plus* actual extra transport cost beyond five miles. | |
| Urban areas | 23-12-0 to 25-0-0 | In free market which caters to ordinary consumers. |
| CALCUTTA— | 20-10-0 | |

(b) There is no milling facility in Assam and as such *atta* is got milled in Calcutta and despatched to Assam. The difference in the prices in Calcutta and Assam is due to the higher cost of transport and other incidental charges incurred in bringing *atta* to Assam.

(c) The pool price of imported wheat is Rs. 15-8 per maund with effect from 15th November, 1953.

(d) and (e). Imported wheat is supplied to all the States at the pool price from docks or Central Reserve depots, loaded into wagons or trucks.

**Shri K. P. Tripathi:** Is it not a fact that the pool price facility is not available to Assam while it is available to other States?

**The Minister of Food and Agriculture (Shri Kidwai):** Yes. We are prepared to deliver wheat in Assam at Rs. 15/8, but the Assam Government will have to send it back to Calcutta for milling and therefore the cost of transport will become double. Therefore, they prefer it to be delivered in Calcutta where the milling facilities are available.

**Shri K. P. Tripathi:** One of the reasons for higher price, is the cost of circuitous transport, because of Pakistan. Will Government consider supplying it to Assam at pooled prices, calculating the difference of transport on it?

**Shri Kidwai:** Government does not distribute *atta*, as I said. Assam is still trying to cultivate Jute, and if it is successful, I hope it will be available cheaper.

**Shri K. P. Tripathi:** May I remind the hon. Minister that wheat which is cultivated in Assam is very meagre. The question which I am putting is, whether, in view of great disparity in the retail price of wheat in Assam and the rest of India, Government would give some sort of relief by pooling the prices of wheat and bearing the cost of transport themselves?

**Shri Kidwai:** Government is prepared to supply wheat at Rs. 15/8; but milling arrangements will have to be made by the local Government or the

local consumer. We have got milling facilities in all other States, but not in Assam.

RAILWAY ROLLING STOCK

*884. **Shri Jethalal Joshi:** Will the Minister of **Railways** be pleased to state how much of the rolling stock required by the Railways can be manufactured in India?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** Present annual manufacturing capacity is:

| | |
|---|---|
| Locomotives. | 85 |
| Carriages. | 790 |
| Wagons. | 7800 |

The target of production is subject to availability of steel in sufficient quantities.

**Shri Jethalal Joshi:** May I know the number of coaches and wagons for which orders have been placed with foreign firms from June to November, this year?

**Shri Alagesan:** We have recently placed orders for 480 locomotives with foreign firms distributed over various countries.

**Shri Jethalal Joshi:** Is it a fact that the coach manufactured in India costs about Rs. 40,000 to Rs. 50,000, whereas the same imported from abroad costs about a lakh and more?

**Shri Alagesan:** There is some difference. I am not at present able to say exactly what it is.

**Shri Jethalal Joshi:** Is it a fact that one of the reasons stated for placing orders for locomotives with foreign firms was that the cost of imported locomotives was almost the same as that of the locomotives manufactured in Chittaranjan? Will the hon. Minister please state whether the factor of employment of skilled, semi-skilled and unskilled labour is not worth considering while framing their policy?

**Shri Alagesan:** Last year we got about 52 locomotives from Chittaranjan and about 33 from Telco. This capacity is expected to go up. When we reach the target, the price of the indigenous locomotive will be more or less equal to the price of the imported locomotive. Now it is a little more.

JAIPUR RAILWAY STATION

*886. **Shri Bheekha Bhai:** Will the Minister of **Railways** be pleased to state:

(a) whether Jaipur Station has been proposed to be developed; and

(b) if so, when and what developments will be effected?

**The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan):** (a) Yes, Sir.

(b) Plans are being prepared and the work will be taken in hand soon after these have been finalized and the estimate is sanctioned. It is proposed to erect a new station building providing better passenger amenities and facilities for tourists visiting the city.

**Shri Bheekha Bhai:** May I know, Sir, the amount proposed to be spent during the current year?

**Shri Shahnawaz Khan:** A sum of Rs. 10,000 has been earmarked for this year.

RICE STOCKS IN ORISSA

*889. **Shri Sanganna:** (a) Will the Minister of **Food and Agriculture** be pleased to state what was the export quota of rice allocated from the Orissa State during the Kharif year 1952-53?

(b) Which were the recipient States for this export quota?

(c) What was the amount of allocation to each State?

(d) Could each State lift its quota in entirety?

(e) Are Government aware that as the States could not lift their allotted

quotas, there is a dumping of procured stocks of rice and paddy in Government as well as private godowns?

(f) If the answer to part (e) above be in the affirmative, what steps have been taken in the matter?

**The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa):** (a) 256,000 tons.

(b) and (c). A statement is placed on the Table of the House. [*See* Appendix IV, annexure No. 41.]

(d) to (f). There is inevitably a certain time-lag between the periodic declarations of surplus by Orissa and its lifting by the recipient States, as such a surplus has to be allotted to particular deficit States who, thereupon, take some time in inspection of quality and in making of financial arrangements. Some time is also taken in bringing the stocks to points of loading. This has resulted in some part of the stocks not being quickly cleared for some time. The deficit State Governments have been impressed with the need for rapid clearance and avoiding delay over inspection and financial arrangements, while, on the other hand, the Orissa Government are now giving special attention to the removal of objections over quality which used to be one of the chief causes of delay.

**Shri Sanganna:** May I know, Sir, whether in the recent conference of different State Food Secretaries, it was decided that a portion of the export quota of rice from Orissa will be in the form of paddy?

**Shri M. V. Krishnappa:** We are asking them to give some portion of their surplus in the form of paddy for supply to Bengal which complained that Orissa rice is very poor in quality.

**Shri Sanganna:** May I know, Sir, whether Government are aware that if paddy is exported, there will be unemployment among the workers attached to the mills?

**Shri M. V. Krishnappa:** There need not be any unemployment. The capacity of the mills in Orissa is only 1,58,000 tons. On account of an extraordinarily bumper crop this year they have procured somewhere about 4 to 5 lakh tons. Even after utilising the full capacity of the mills in Orissa they will be left over with 50 per cent. of the total production in the form of paddy, which they can easily export to other States. So, there need not be any unemployment on that account.

**Shrimati Renu Chakravartty:** What steps are proposed to be taken by the Orissa Government to improve the quality of their rice?

**Mr. Speaker:** It is a State subject. The Question-hour is over.

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## WRITTEN ANSWERS TO QUESTIONS

### Travel Agencies

***854. Shri Amjad Ali:** (a) Will the Minister of **Communications** be pleased to state how many licences have been granted to travel agencies by the Inland and International Air Lines Corporations so far?

(b) What are the countries, for which they have been chiefly granted?

(c) What are the restrictions on the grant of licences?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) No licences are necessary for this purpose, but appointments of travel agents are made from amongst those recognised by the International Air Transport Association and the Air Transport Association of India. The number of travel agents appointed by the Indian Airlines Corporation is 93 in India and 73 abroad. The number of travel agents appointed by Air-India International Corporation is 57.

(b) and (c). There are no restrictions on the basis of countries, nor are there any other restrictions.

### Promotions on Railways

***860. Shri Nambiar:** Will the Minister of **Railways** be pleased to state:

(a) the steps taken to implement the assurance given by the Minister

of Railways in his last Budget Speech, that promotions of Railwaymen up to a certain limit, would be permitted without recourse to any selection Board; and

(b) whether it is a fact that selections are still being held for promotions to several posts of Class IV category?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) Necessary instructions have since issued. Ordinarily promotion of railwaymen to grades below Rs. 200-300 will be without recourse to any Selection Board but certain specified posts in the Rs. 150-225 grades which involve supervision and a degree of personal responsibility may be treated as selection posts.

(b) There are no selection posts in Class IV category although suitability for certain categories is determined through departmental tests.

RAILWAY LINES

***867. Shri Amjad Ali:** Will the Minister of **Railways** be pleased to refer to the supplementaries to starred question No. 1283 asked on 15th September, 1953 and state:

(a) whether any examination of the estimate as to the costs in the three different proposals of (i) Darangiri-Amjanga-Pandu, (ii) Darangiri- Ungnani- Goalpara- Perry- Jegighopa-Hongaigaon and (iii) Darangiri to a reasonably stable point on the bank of the river Brahmputra by direct route, has been made by Government; and

(b) whether the Government of Assam have since approached the Government of India for an estimate of the railway line from the areas of Garo Hills?

**The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan):** (a) No, Sir.

(b) No, Sir.

CALF SUBSIDY SCHEME

***869. Shri Heda:** (a) Will the Minister of **Food and Agriculture** be pleased to state what are the main features of 'Calf Subsidy Scheme'?

(b) How many calves are getting annual or monthly stipends?

(c) What are the breeds that are chosen under this Scheme?

**The Minister of Food and Agriculture (Shri Kidwai):** (a) The All India Calf Subsidy Scheme which is proposed to be implemented as an adjunct to the All India Key Village Scheme, from the year 1954-55, has not yet been finalised. However, as an experimental measure a pilot calf-subsidy scheme is being implemented in Delhi State from last year. Under this Scheme the maintenance of pure-bred male calves born in Key Villages is being subsidized at the rate of Rs. 5/- p.m. per calf. This subsidy is paid for a period of about two years after weaning.

(b) 100.

(c) Hariana.

BILASPUR-ALLAHABAD THROUGH BOGIE

***870. Sardar A. S. Saigal:** (a) Will the Minister of **Railways** be pleased to state whether the Eastern Railway has stopped putting a direct bogie from Bilaspur to Allahabad by the night train?

(b) What was the reason for discontinuing this arrangement?

(c) Are Government aware that the Bilaspur-Allahabad bogie is attached by the morning train and the passengers of the bogie after reaching Katni have to wait for more than six hours?

**The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan):** (a) Yes, from 1st October, 1953.

(b) In the time table which came into force from 1st October, 1953, train No. 3 BK leaving Bilaspur at 20·10

hours and arriving Katni at 5·20 hours does not connect with the Central Railway train No. 389 leaving at 0·58 hours. In the circumstances, arrangements have been made to haul the through coach from Bilaspur by train No. 1 BK which arriving at 18:28 at Katni connects with train No. 389.

(c) **Yes.**

FOODGRAIN PROCUREMENT

*872. **Shri Heda:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the rice procurement targets as fixed at a meeting held on the 10th November, 1953 of food officials of States which are surplus in rice;

(b) whether there will be any departure from the old method in procurement; and

(c) if so, the nature thereof?

**The Minister of Food and Agriculture (Shri Kidwai):** (a) No specific targets were fixed at this meeting. The prospects of rice crop in each surplus State were generally discussed with representatives of States and it was ascertained that it would be possible to procure about 2 million tons of rice in 1954. The State-wise anticipations are given in the following statement.

STATEMENT

*Expected procurement during 1954 for rice*

(*In '000 tons.*)

| | |
|---|---|
| Andhra | 300 |
| Assam | 150 |
| Bihar | 20 |
| Bombay | 120 |
| Madhya Pradesh | 400 |
| Madras | 150 |
| Orissa | 430 |
| Punjab | 115 |
| Uttar Pradesh | 60 |
| West Bengal | 60 |
| Hyderabad | 25 |
| Mysore | 60 |
| P.E.P.S.U | 5 |
| Travancore-Cochin | 25 |
| Coorg | 20 |
| Vindhya Pradesh | 15 |
| Others | 6 |
| | 1,961 |

(b) and (c). The existing system of procurement will, in most cases be followed except that purchase from open market will replace the present system in a few cases.

EMPLOYMENT EXCHANGES

*878. **Shri U. M. Trivedi:** (a) Will the Minister of **Labour** be pleased to state whether the attention of Government has been drawn to the allegations of favouritism and corruption in Employment Exchanges?

(b) If so, have Government taken action in such cases?

(c) Do Government allow registration at Employment Exchanges by Post?

**The Minister of Labour (Shri V. V. Giri):** (a) and (b). Whenever complaints of alleged favouritism are received, they are carefully investigated and appropriate action taken.

(c) Yes. Applicants who live far away from an Employment Exchange but within the area served by it, are permitted to register by post at that Exchange.

TELEGRAPHIC FACILITIES

*879. **Shri U. M. Trivedi:** (a) Will the Minister of **Communications** be pleased to state the reasons for not connecting Rampura (Madhya Bharat) with Manasa and Neemuch with telegraphic communications?

(b) Is it a fact that telegrams from Manasa to Rampura, a distance of 19 miles, take 24 hours to reach?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) The reason is that it will involve the construction of a new line for twenty miles and the traffic between the two places which does not come to even one message per day does not justify such a heavy outlay.

(b) Not generally.

POSTAL COMMUNICATIONS IN AUTONOMOUS DISTRICTS OF ASSAM

*883. **Shri Rishang Keishing:** Will the Minister of **Communications** be pleased to state:

(a) the number of Post and Telegraph offices district-wise functioning at present in the autonomous districts of Assam;

(b) the schemes and targets as envisaged in the Five Year Plan to improve and increase the number of postal and telegraphic communication in the said areas;

(c) the facilities and concessions given to the Tribal people for recruitment in the department; and

(d) how many tribal people from the autonomous districts of Assam have so far been employed?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) A statement giving the information is placed on the Table of the House. [*See* Appendix IV, annexure No. 42.]

(b) For extension of Postal facilities, the autonomous districts of Assam are scheduled as backward ones. The usual annual limit of loss of Rs. 750/- has been raised to Rs. 1,000/- for each new post office to be opened in these areas. Post offices will be opened at places where the Assam Government will recommend them. The normal condition of 2,000 population and proximity to any other post office will not apply. It is proposed to open 60 post offices by the 31st March, 1956, in the autonomous districts of Assam.

No such target has been fixed for opening new Telegraph offices. All Sub-divisions and Tehsil stations will, however, have telegraph offices provided the loss does not exceed Rs. 1,000 per annum.

(c) Five per cent. of the posts which are filled in by direct recruitment are reserved for the candidates belonging to the Scheduled Tribes.

(d) The information is being collected and will be placed on the Table of the House in due course.

GLIDER CLUBS

*888. **Shri Viswanatha Reddy:** Will the Minister of **Communications** be pleased to state:

(a) the number of glider clubs functioning in the country and where they are situated;

(b) the amount subsidized by Government to each per year; and

(c) whether university students are encouraged to take interest in these clubs?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) Two: the Indian Gliding Association at Poona and the Delhi Gliding Club at New Delhi.

(b) I lay a statement on the Table giving the requisite information. [*See* Appendix IV, annexure No. 43.]

(c) The clubs have all along endeavoured to enlist as many members as possible including university students. The question of special facilities to be offered to the university students to attract them in large number is under examination.

DRUGS ACT

*890. **Shri H. N. Mukerjee:** Will the Minister of **Health** be pleased to state the reasons for the delay in introducing legislation to amend the Drugs Act, 1940 in spite of repeated assurances to organisations of medical men?

**The Minister of Health (Rajkumari Amrit Kaur):** The main items of the proposed amendments to the Drugs Act, 1940 are of an important nature. They could only be finalised in consultation with the State Governments and this has taken time. The drafting of the necessary Bill is being undertaken and it is hoped that it will be possible to introduce the Bill in the next session of Parliament.

LOCUST CONTROL

*891. **Sardar Lal Singh:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the total cost incurred during the last four years in connection with the locust control by the Central Government on (i) insecticides and (ii) equipment;

(b) what proportions of the above insecticides and equipment were manufactured in India and what was imported from abroad; and

(c) what steps, if any, Government have taken to manufacture the same in India?

**The Minister of Food and Agriculture (Shri Kidwai):** (a) A statement is laid on the Table of the House. [*See* Appendix IV, annexure No. 44.]

(b) Benzene Hexachoride which is largely used for locust control, is imported as the basic poison from abroad and formulated to various percentages in India.

Five per cent. of the equipment purchased has been manufactured in India and the rest is imported.

(c) Government of India have set up a factory for the production of D.D.T. The formulation of various foreign insecticides within the country is being encouraged by permitting the importation of only the technical grade of insecticides. A number of Indian firms have taken up the formulation of a number of insecticides.

STRIKE IN LODNA COLLIERY

*892. **Shri Vittal Rao:**
**Shri P. C. Bose:**
**Shri K. Subrahmanyam:**

(a) Will the Minister of **Labour** be pleased to state whether it is a fact that the miners of Lodna Colliery are on strike since 16th November, 1953 demanding six-day week?

(b) If so, what is the number of workers involved?

(c) When was the five day week introduced and what are the reasons for such reduction?

(d) What action has been taken by the Regional Labour Commissioner to resolve the dispute?

(e) Was any compensation paid to the workers for such reduction?

**The Minister of Labour (Shri V. V. Giri):** (a) Yes. Some workmen of the Bagdigi Colliery of Lodna Colliery Co. Ltd., are on strike, demanding *inter alia* restoration of six-day working week.

(b) 314 workers out of 1178 in the Bagdigi Colliery struck work from the 16th November 1953 and the number rose to 410 on the 19th November.

(c) The five-day week was introduced some time towards the end of May 1953. As a result of the Coal Board's order fixing a ceiling on the output of coal, the management found that they could not run the colliery economically without retrenching a large number of workers. This retrenchment was avoided, in consultation with the Lodna Workers' Union, which is the recognised union, by resorting to 5-day working week.

(d) The Regional Labour Commissioner, Dhanbad, tried to bring about a settlement between the parties. No agreement could be reached so far. He is however still making efforts to settle the dispute.

(e) The colliery management make payment to workers for enforced idleness for one day every week and attendance for that day is being

booked in order to enable them, as usual, to be entitled to bonus, annual leave, maternity benefits, and train fares while proceeding on leave. The workers also get their full rations as if they worked for all the six days. This arrangement was agreed to by the recognised Union.

STAFF CARS

**387. Th. Lakshman Singh Charak:** (a) Will the Minister of **Transport** be pleased to state how many motor cars have been purchased by Government for the use of the Cabinet Ministers and Deputy Ministers?

(b) How many motor cars have been purchased for use as Staff Cars in the years 1951-52 and 1952-53?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) None.

| | | |
|---|---|---|
| (b) During 1951-52 | ... | None |
| During 1952-53 | | Four. |

HEALTH MINISTER'S TOUR OF RUSSIA

**388. Shri V. P. Nayar:** Will the Minister of **Health** be pleased to state:

(a) whether in view of the "Study on the Spot" made by the Minister of Health on the working of the Soviet Medicine, the Government of India have any plans to send doctors, nurses and midwives to U.S.S.R. for training; and

(b) whether in view of what the Minister has observed about the success of the Soviet Medicine (as expressed in the press interview of the Minister in June, 1953) any changes will be made in the plan for the nation's health already chalked out in the Five Year Plan?

**The Minister of Health (Rajkumari Amrit Kaur):** (a) There is no proposal to send doctors, nurses and midwives to U.S.S.R. for training;

(b) It is not considered necessary to make any changes in the Five Year Plan. We are working more or less on the same lines as the U.S.S.R.

NUTRITION

**389. Shri V. P. Nayar:** Will the Minister of **Health** be pleased to state:

(a) what work, if any, is carried on under the Ministry in nutrition; and

(b) whether the Ministry is collecting any data about the diseases caused by deficient nutrition?

**The Minister of Health (Rajkumari Amrit Kaur):** (a) Nutrition is primarily the concern of the State Governments. The Ministry of Health, however, performs the following functions:—

(i) To be in touch with the Health Directorates of the States in respect of such work.

(ii) To offer technical help and advice to the States, whenever asked for.

(iii) To arrange for proper distribution of milk and other foods received as gifts from abroad through the agency of State Governments and recognised social service organisations.

(iv) To help to disseminate knowledge on nutrition through publication of leaflets, pamphlets, broadcast talks on the radio, participation in nutrition exhibition etc.

(v) To provide for courses of training in dietetics and nutrition at the All India Institute of Hygiene and Public Health, Calcutta, and at the Nutrition Research Laboratories, Coonoor.

(vi) To promote research work on nutrition through Indian Council of Medical Research.

(b) No; but such information as may be collected by State Government is received in the Ministry from time to time.

POONA-BELGAUM TRAIN

**390. Shri Joachim Alva:** (a) Will the Minister of **Railways** be pleased to state whether Government are aware of the fact that the train which runs from Poona to Belgaum on the metre gauge is defective (i) in speed, (ii) in carriage accommodation, (iii) in water facilities and (iv) in lighting?

(b) Are there catering arrangements for third class passengers on this line?

(c) Do Government propose to do anything in regard to these matters?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) There is no train on the Poona-Hubli section starting from or terminating at Belgaum. Belgaum is, however, served by the following train services:—

One mail and one express train each way between Poona and Bangalore. One passenger train each way between Poona and Londa;

One tri-weekly express and one passenger train each way between Poona and Hubli.

(i) The above trains are booked to run at the maximum possible speeds, having regard to the load, class of engine, time required *en route* for traffic and loco purposes, engineering restrictions in force etc. There is therefore no scope for appreciably reducing their overall running time.

(ii) It is not clear what is meant by defective carriage accommodation. Generally, the composition of trains is based on the requirements of traffic offering in the various classes and therefore varies with trains.

(iii) Adequate arrangements exist for the watering of carriages. The following statement shows the stations at which the overhead tanks of trains are replenished.

| Stations | Inter Distances | Train Nos. |
|---|---|---|
| Poona | 84 miles | 901, 903, 904. |
| Koregaon | 76 miles | 905, 906, 910. |
| Miraj | 86 miles | 901 to 906, 909, 910, 935 and 936. |
| Belgaum. | | 902, 904, 909, 910, 935 and 936. |

(iv) It is not apparant from the question what specific defects in train lighting are referred to. Electric lighting is provided on trains on this section.

(b) Adequate and satisfactory catering arrangements are in existence on the Poona-Belgaum Section, for all classes of passengers. The following are the details thereof:—

(1) A Refreshment Car runs by train Nos. 905/906 (Poona-Londa Passenger) for serving light refreshments, coffee and tea, between Poona and Belgaum.

(2) Similarly, a refreshment Car runs by Nos. 903/904 (Poona-Bangalore Express) between Poona and Miraj.

(3) Vegetarian Refreshment Rooms are functioning at Wathar, Miraj and Belgaum where meals and refreshments including coffee and tea are available.

(4) Platform Refreshment Stalls are provided at

| | |
|---|---|
| Sasvad Road | Karad |
| Alandi | Kirloskarvadi |
| Rajewadi | Bhilavadi |
| Jejuri | Madhavnagar |
| Walhe | Miraj |
| Nira | Shedbal |
| Wathar | Chikodi Road |
| Satara Road | Ghatprabha |
| Koregaon | Pachhapur |
| Rahimatpur | Suldhal |
| | Belgaum |

where light refreshments and beverages are available.

(c) Does not arise in view of the replies to parts (a) and (b).

## गोरखपुर मेल में चोरी

३११. **श्री रघुनाथ सिंह**: क्या रेल मंत्री यह बताने की कृपा करेंगे :

(क) पूर्वोत्तर रेलवे के गोरखपुर मेल में विगत तीन महीनों में चलती गाड़ी में चोरी की कितनी घटनायें हुई हैं ;

(ख) चोरी की कितनी घटनाओं की जांच हुई और कितनी पकड़ी गयीं; तथा

(ग) कितने मामलों में चोरों को दंड मिला ?

**The Deputy Minister of Railways and Transport (Shri Alagesan)**: (a) The railway has not so far received any report of a theft having been committed on Gorakhpur Mail trains No. 301 Up and 302 Dn. during the last three months.

(b) and (c). Do not arise.

### Over-Crowding in Trains

**392. Shri S. G. Parikh**: (a) Will the Minister of **Railways** be pleased to state whether Government are aware that trains to and from Ahmedabad are over-crowded on mill holidays?

(b) What steps do Government propose to take in the matter to relieve the congestion?

**The Deputy Minister of Railways and Transport (Shri Alagesan)**: (a) The trains between Ahmedabad and Mehsana do get over-crowded on some of the mill holidays.

(b) Proposals in hand to relieve overcrowding include

(i) Doubling of the track between Ahmedabad and Mehsana to enable more trains to be run;

(ii) Improvements in berthing facilities at Ahmedabad; and

(iii) Increase in the number of rolling stock.

### Employment Exchanges in Delhi

**393. Shri Nanadas**: Will the Minister of **Labour** be pleased to state:

(a) the number of Scheduled Caste Candidates on the live registers of the Employment Exchanges in Delhi on the 1st November, 1953; and

(b) how many of them were for gazetted and other posts?

**The Minister of Labour (Shri V. V. Giri)**: (a) The latest figure, that is, as on 30th November, 1953, was 1,758.

(b) The break up of the applicants on the Live Register as on 30th November, 1953 was as under:—

| Category | No. of applicants registered for posts in different categories (as on 30-11-53). |
|---|---|
| 1. Administrative, executive supervisory and highly technical | 4 |
| 2. Clerical | 160 |
| 3. Technicians | 112 |
| 4. Teachers | 4 |
| 5. Unskilled office workers, peons, duftries etc. | 117 |
| 6. Unskilled labourers | 1,361 |
| Total | 1,758 |

### Cold Storage Vans

**394. Shri V. P. Nayar**: Will the Minister of **Food and Agriculture** be pleased to refer to the priorities of the fisheries Plan (Para 27 of Chapter XXIII of the First Five Year Plan) and state:

(a) whether and if so, how many cold storage vans have been put into use on Indian Railways under the fisheries plan; and

(b) the additional quantity of fish handled in such newly operated cold storage vans of Indian Railways?

**The Minister of Food and Agriculture (Shri Kidwai):** (a) None at present.

(b) Does not arise.

PICTURE ON POSTAL STAMPS

*395. **Shri D. C. Sharma:** Will the Minister of **Communications** be pleased to state:

(a) the names of the eminent personalities whose pictures have been printed on postal stamps issued after the 15th August, 1947; and

(b) the basis of selection of personalities for this purpose?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) (i) Mahatma Gandhi.

(ii) Kabirdasa

(iii) Tulsidasa

(iv) Mirabai

(v) Suradasa

(vi) Ghalib

(vii) Rabindra Nath Tagore.

(b) Mahatma Gandhi stamps were issued to commemorate the memory of the father of the Indian Nation after his death. The other six were issued as the first instalment of Postage stamps in the memory of Great Indian Saints and Poets that attained eminence from time to time.

GUDUR MICA MINES

396. **Shri Nanadas:** (a) Will the Minister of **Labour** be pleased to state the number of mica mine workers who have been provided with headmasks in the Gudur mica mine area?

(b) What sort of headmask is provided to protect the workers from the jack hammer dust and din?

**The Minister of Labour (Shri V. V. Giri):** (a) and (b). Head masks have not been provided in any mica mine in the Gudur area. Drillers in two of the mines, however, use cotton pads of local make over nose and mouth despite the fact that the drilling machines are arranged for Wet drilling.

"ELECTRIC" TELEGRAPH STAMPS

397. **Shri Bhagwat Jha:** (a) Will the Minister of **Communications** be pleased to state whether it is a fact that the Post and Telegraph Department have issued a souvenir sheet of the first Indian 'Electric' telegraph stamps?

(b) If so, what are the denominations of such stamps?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) Yes.

(b) The sheet bears imprint of an old four anna 'Electric Telegraph' stamp and the old eight annas, ten rupees, two rupees eight annas and fifty rupees Telegraph stamps. The sheet has been priced at rupee one each.

ACCIDENT ON AHMEDABAD-KALOL SECTION

398. **Shri Gidwani:** (a) Will the Minister of **Railways** be pleased to state whether an accident occurred on the Ahmedabad-Kalol Section of the Western Railway on the 14th October, 1953 at Bechraji?

(b) What was the number of casualties?

(c) What were the causes of the accident?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) Yes. At about 20-30 hrs. on 14th October, 1953, No. 485 Up Mixed train derailed while running between Rantej and Bechrajee stations on the Kalol-Chanasma Metre Gauge Section of the Western Railway.

(b) Two persons were killed and four were injured.

(c) *Prima facie* the accident was caused by the tender of the engine mounting its brake adjusting pull rod which, having got detached, fell in the channel between the main and the guard rails of the level crossing, leading to the derailment of the tender and the following vehicles.

HYDERABAD GOLD MINES

**399. Shri T. B. Vittal Rao:** (a) Will the Minister of **Labour** be pleased to state whether it is a fact that in a quarter, measuring 13' by 9' more than 5 workers of the Hyderabad Gold Mines Company are living?

(b) How many quarters are there?

(c) What arrangements are contemplated by the Company to house these workers who have not been provided with quarters?

**The Minister of Labour (Shri V. V. Giri):** (a) No. Each quarter of this type has been allotted to a single worker.

(b) 425.

(c) The total number of labourers on 31st October, 1953 was 1195 of whom 560 are local employees who live in their own houses in the surrounding villages. The number of labourers requiring quarters is thus, only 635. The Company proposes to construct additional 200 houses for which they have applied to the Government of India for a subsidy and loan under the subsidised Housing Scheme for Industrial Workers. The Government of India have agreed to extend the benefits of the above scheme to the Hyderabad Gold Mines Company.

NEW POST OFFICES

**400. Shri Buchhikotaiah:** Will the Minister of **Communications** be pleased to state:

(a) the number of new post offices proposed to be established during 1953, Statewise;

(b) the number established so far; and

(c) the number of headquarters of taluqs which have no telegraph facilities up till now?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) and (b). A statement is laid on the Table of the House. [*See* Appendix IV, annexure No. 45.]

(c) 424.

**बारूद के गोलों की चोरी**

४०१. **श्री बीरबल सिंह:**
**श्री रघुनाथ सिंह:** } क्या रेल मंत्री यह बताने की कृपा करेंगे :

(क) क्या यह सच है कि पूर्वी रेलवे के दुर्गापुर और उरवेरिया स्टेशनों के बीच १६ बारूद के गोले गायब हो गये हैं;

(ख) यदि यह सच है, तो वे किस प्रकार गायब हुए हैं; तथा

(ग) क्या इस विषय में कुछ जांच की जा रही है ?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** (a) Yes, Sir.

(b) These cartridges were pilfered by miscreants by cutting a hole through the floor of the wagon in which the consignment was carried.

(c) Yes, Sir.

The case is under investigation by the Government Railway Police.

FISHERIES

**402. Shri Dasaratha Deb:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the amount of capital invested in fisheries of Rudrasagar of Tripura in 1951, 1952 and 1953;

(b) the number of persons employed in that work; and

(c) the annual profits made from 1951 to 1953?

**The Minister of Food and Agriculture (Shri Kidwai):** (a) 1951 ...Rs. 44,063/15/-.

| | | |
|---|---|---|
| 1952 | | Rs. 11,027/8/-. |
| 1953 | ... | Rs. 12,000 |
| (b) 1951 | | 400 |
| 1952 | | 600 |
| 1953 | | 600 |
| (c) 1951 | ... | Rs. 25,128/3/6 |
| 1952 | ... | Rs. 3,694/10/3 |
| 1953 | ... | Not yet assessed. |

ROADS

**403. Shri Bheekha Bhai:** Will the Minister of **Transport** be pleased to state the mileage of road construction undertaken in each Part 'C' State since 1st April, 1950?

**The Deputy Minister of Railways and Transport (Shri Alagesan):** A statement containing the information required is attached.

STATEMENT

*Mileage of road construction undertaken in each Part 'C' State since 1st April, 1950*

| S. No. | Name of State | Mileage of road construction (new lengths) undertaken. | |
|---|---|---|---|
| 1. | Ajmer | 21 | |
| 2. | Bhopal | 73 | |
| 3. | Bilaspur | 190* | *Includes mostly 2 ft. and 4 ft. traces. |
| 4. | Delhi | 41 | |
| 5. | Himachal Pradesh | 844* | |
| 6. | Kutch | 203 | |
| 7. | Manipur | 26 | |
| 8. | Tripura | 285 | |
| 9. | Vindhya Pradesh | 139 | |
| | TOTAL | 1822 | |

CARRIAGE OF MAIL IN RAJASTHAN

**404. Shri Bheekha Bhai:** Will the Minister of **Communications** be pleased to state the places where carriage of mail has been made through contractors in Rajasthan?

**The Deputy Minister of Communications (Shri Raj Bahadur):** A list of 31 cities and towns in Rajasthan Circle where mails are conveyed locally through contractors, is placed on the Table of the House. [*See* Appendix IV, annexure No. 46.]

BABATPUR AERODROME

**405. Shri Ganpati Ram:** (a) Will the Minister of **Communications** be pleased to state whether it is a fact that the fencing wire near village Karmi in Babatpur Aerodrome at Banaras is being shifted?

(b) If so, how many yards from the previous boundary is it to be shifted?

(c) Is it a fact that tenders were invited for the purpose?

(d) Have contracts been given to any contractor and if so, for how much?

**The Deputy Minister of Communications (Shri Raj Bahadur):** (a) No, Sir.

(b) to (d). Do not arise.

"कनवेयर" विमान

४०६. **श्री बादशाह गुप्त:** क्या संचरण मंत्री यह बताने की कृपा करेंगे कि भारत में जो नए "कनवेयर" विमान सी० वी० -३४० आ रहे हैं, उनका मूल्य क्या है?

**The Deputy Minister of Communications (Shri Raj Bahadur):** The price of a 'Convair'-CV.-340, aircraft including radio and auto-pilot is about Rs. 31,00,000.

Acc. No. 4.2.7.54
Dated 25.11.21

THE
PARLIAMENTARY DEBATES
(Part II—Proceedings other than Questions and Answers)
OFFICIAL REPORT



## HOUSE OF THE PEOPLE

*Friday, 11th December, 1953*

*The House met at Half Past One of the Clock.*

[MR. SPEAKER *in the Chair.*]

## QUESTIONS AND ANSWERS

*(See Part I)*

2-30 P.M.

## REPEALING AND AMENDING BILL

**Mr. Speaker:** The House will now proceed to the further consideration of the following motion, namely:

> "That the Bill to repeal certain enactments and to amend certain other enactments, as passed by the Council of States, be taken into consideration."

I find from the amendments, at least Nos. 2 and 3, tabled by Shri V. P. Nayar that, there seems to be a misapprehension about the nature and scope of this Bill and, therefore, the scope of the amendments that can be moved. As has been stated in the statement of objects and reasons, these are merely formal matters, not substantial matters for legislation. And the Bill comes in only, as is stated, to deal with enactments which have ceased to be in force or have become obsolete or the retention whereof as separate Acts is unnecessary. That is the scope and object. The amendments that he has tabled to the Code of Criminal Procedure and the Code of Civil Procedure deal with certain matters in which the Princes are concerned, and will not come within the scope of this Bill.

**Shri V. P. Nayar** (Chirayinkil): If you will permit me....

**Mr. Speaker:** I am very clear on that point. He wants to drop certain provisions which were recently enacted. But I need not go into the merits of it. Anyway, it is a substantial thing which he wants. This is a Repealing and Amending Bill.

I do not know about the Dramatic Performances Act, 1876. It seems to be pretty old and I do not know whether it is still in force. I should like to know the position from the hon. the Law Minister.

**The Minister of Law and Minority Affairs (Shri Biswas):** Sir, the Dramatic Performances Act deals with dramatic performances which are scandalous, defamatory, seditious or obscene, and action is to be taken against those who are guilty of taking part in dramatic performances of this nature. That Act, although it was passed as far back as 1876, still holds good and it is as necessary today as it was in those days. So, Sir, the age of the Act is no indication of its applicability to present conditions. And I submit, as you have been pleased to point out in connection with the other two amendments, in connection with this too that it is outside the scope of the Bill. As the long title says this Bill deals with "certain enactments and certain other enactments". These two expressions used in the long title refer to the specific enactments which

[Shri Biswas]

you find listed in the three Schedules. You cannot go outside these. If these amendments are admitted, there is nothing to prevent somebody bringing forward an amendment that the whole of the Civil Procedure Code or Criminal Procedure Code be repealed or the Preventive Detention Act be repealed! That will not do. Every one of these cases is examined in great detail, with great care, after full consultation with the different States concerned, and it is thereafter, as a result of prolonged discussion between the Central Government and the State Governments that a certain Act is included in the list or is excluded from the list. So, Sir, these things cannot be sprung upon the House as a surprise by including any and every Act that you can think of. That is outside the scope of the Bill. And if I may with respect just quote one authority in support of what you were pleased to say only a moment ago, it is this:

> "The object of these Acts is to excise dead matter, prune off superfluities and reject inconsistent enactments".

The present amendments do not satisfy any of these conditions. It is not dead matter. It might be ancient matter. But it is as much alive today as it was then.

**Shri V. P. Nayar:** May I just point out that what the hon. the Law Minister has stated has no bearing on this because it is very clearly stated in the statement of objects and reasons: "the retention whereof as separate Acts is unnecessary are repealed". So it is open to the Members to find out whether the retention of any such Act is unnecessary. It is not only for the Government to find out. When the Bill is before the House it is open for any hon. Member to give an amendment.

**Mr. Speaker:** While the question of the amendments will technically come only when we go to the clauses, I want to define the scope of discussion. And I am very clear on that point that no discussion on the merits of other measures, which according to hon. Members should have been included or not included, is permissible on the discussion of this Bill. This is a purely formal measure, and I do not think there is any scope for any discussion at all, except to point out, if there be, any mistake or lacuna in the Schedules or the measures mentioned in the Schedules.

**Shri V. P. Nayar:** Is it your ruling, therefore, that we should not speak on anything which is found to revolt against the present order of things even if it is a statute which is considered to be alive?

**Mr. Speaker:** I think the hon. Member is, perhaps unintentionally, widening or giving an extensive meaning to what I have said. The object of the Bill is very clear, and that is not to leave, as the hon. the Law Minister said, "dead matter" on the statute book and to remove that matter. If it is left, perhaps there may be some doubt created. That is the object of the Repealing and Amending Bill. It is a long-standing practice in every Legislature, and people who are accustomed to or conversant with the ways in which such Bills are passed are very clear about the matter. I do not think there is any scope for discussion over this matter.

**Shri K. K. Basu** (Diamond Harbour): One of the objects says "which have become obsolete". Therefore, I think that in the consideration stage any of the hon. Members might suggest certain legislation which should have been taken as obsolete and should, therefore, have been incorporated in the amending Bill.

**Mr. Speaker:** I do not think that is the scope. If that is so, the proper course is to take up the matter with the Law Minister, have the matter thrashed out, instead of spending the time of the House as to what is obsolete and what is not.

**Shri V. P. Nayar** *rose*—

**Mr. Speaker:** Order, order. I had a doubt as regards the Dramatic Performances Act because it was passed in 1876. That is why I asked the hon. the Law Minister to explain the position. The matter ends there.

**Shri V. P. Nayar:** Sir, it has been re-enacted by the Adaptation of Laws Act in 1950, and I would draw your attention specifically to this statement in the statement of objects and reasons that "this Bill is one of those periodical measures by which enactments which have ceased to be in force or have become obsolete or the retention whereof as separate Acts is unnecessary are repealed or by which formal defects detected in enactments are corrected." The second and third amendments are intended to rectify a technical defect which revolts against the Constitution.

**Mr. Speaker:** I do not think there is any scope for that.

**Shri V. P. Nayar:** I will submit that the two provisions, one in the Civil Procedure Code and one in the Criminal Procedure Code....

**Mr. Speaker:** The hon. Member need not argue. I saw that provision when I saw his amendments. And it is after closely studying the whole position that I am saying this. On a Bill of this type, just as on an Appropriation Bill, there is practically no scope for debate—though technically there is; always a Member can say anything because you cannot say that a Bill cannot be discussed—but for all practical purposes there is absolutely no scope for any discussion on these Bills. I do not think I can permit any discussion as regards the merits of other Acts, unless the hon. Member has to say something over the items included in the Schedule, unless he has to say anything seriously about it. There is no other scope.

**Shri V. P. Nayar:** I have tabled an amendment. I thought that a formal defect because it does not give equal protection and equality before law.

**Mr. Speaker:** The hon. Member need not repeat his argument. I have seen his point and my ruling is that what he thought was wrong. The position is as I am stating. Therefore, if he has anything to say about any of these enactments stated in the Schedule, it is competent for him to say, and that too, shortly. There is no other scope. If we are not to have these limits on the scope in that manner, practically the whole field of legislation and all the laws passed hitherto from times immemorial to yesterday will be open for discussion under this Bill, which is an untenable position.

**Shri V. P. Nayar:** That is exactly the point in bringing forward a Repealing and Amending Bill.

**Mr. Speaker:** If the hon. Member wants to speak on this Bill, he can speak.

**Shri V. P. Nayar:** I have not got to speak very much on this Bill as it is, because I consider and I hold that certain laws which must necessarily be taken away from the Statute book have not been included.

**Mr. Speaker:** Order, order.

**Shri V. P. Nayar:** Although it is seen from the Schedule that the Law Minister has had to go through the Statute book from the year 1876, he has conveniently left out a particular statute which is very oppressive.

**Mr. Speaker:** That matter is closed by my ruling. If the hon. Member wants to say anything, he may address himself now to the consideration motion. As I have said, there is nothing practically to say. Has he anything to say on these laws mentioned here?

**Shri Biswas:** My hon. friend has said that the Law Minister has conveniently excluded certain items. I should....

**Shri V. P. Nayar:** Yes.

**Mr. Speaker:** I do not think any discussion is necessary. The matter is closed.

**Shri Biswas:** I was going to say that I should like to invite the hon. Member to give me a list of Acts which he thinks should be repealed. I shall consider that.

**Mr. Speaker:** That is a different proposition.

**Shri V. P. Nayar:** I will be able to prove that he has conveniently and studiedly left out.

**Mr. Speaker:** I am not going into it. Yes; Shri Kelappan.

**Shri Kelappan** (Ponnani): Sir, I wish to refer to one Act that is sought to be repealed. If there is any Bill that can be called innocuous, it is a Bill of this kind. From the repeal of this Act, no new legal consequences follow. At the same time, the rights, title, obligation and liabilities acquired under that Act are kept intact. That is as it ought to be. But that is my difficulty. I find from this Schedule that one of the Acts sought to be repealed is Act XXXV of 1920, the Basel Mission Trading Company Act.

**Mr. Speaker:** Which Schedule?

**Shri Kelappan:** The First Schedule; page 2. The whole of it is sought to be repealed. That Act was passed really to validate certain transactions as the Act itself says. It says:

> "Whereas doubts have arisen and may arise as to the validity of certain matters in connection with the above-mentioned transfers; and
>
> Whereas it is expedient to terminate such doubts and to constitute the said Trustees a body corporate in order that the intention of the said transfers may be fully carried out;"

These were the circumstances in which this Act was passed. After the First World War, the properties owned by the Basel Mission Trading Company on the Malabar Coast were confiscated by the Government of India as enemy property and they were vested in the Custodian of Enemy Property. These properties were transferred by the Custodian for proper administration to a Trust consisting of Mr. John Anderson Thorne, Secretary to the Board of Revenue, Shri Paul Appaswami, Judge of the Court of Small Causes, Madras, one Shri Muthiah David Devadoss, Barrister-at-Law, Madras, and two missionaries. For all practical purposes, this may be taken as a Government body, because a Judge of the Small Causes Court was there and there was the Secretary of the Revenue Board as the President. We find that these properties have been transferred, as stated in the Second Schedule, to the Commonwealth Trust Limited, a company registered in England. I do not know whether a transaction which is void or illegal *ab initio* could be validated by a measure of this kind. If it cannot be validated or if it could be questioned in a court of law, then, by the repeal of this Act, one loses the opportunity of questioning its validity in a court of law. At the same time, all the legal consequences flowing from that Act are validated by the present measure that has been brought before this House.

The reason given for the repeal of this particular Act is that these Acts which validated certain indentures transferring certain enemy properties after the First World War and provided for the incorporation of certain Trustees are no longer necessary. These properties consisted of 3 textile factories, 7 tile factories and one Engineering firm in Mangalore. These were constituted into a Trust as the Missionaries were spending all the profits from these concerns for educational institutions and other philanthropic works that the missionaries were doing. The Commonwealth Trust is really a company registered in England.

**Mr. Speaker:** I may just invite the hon. Member's attention to one aspect. I do not want to enter into the merits of his arguments. We are not concerned at present with the question whether the Basel Mission Trading

Company Act was proper or *intra vires* and what is purported to do was *intra vires* or *ultra vires*. His contention has been that, it has been void *ab initio* and his fear seems to be that if this Act is now repealed, the man who proceeded on the assumption that it is *ultra vires ab initio*, will be prevented from raising that argument. If the legislation was *ultra vires*, its repeal is not going to affect the original transaction at all. We are not concerned with the merits of the transaction. I am merely saying this for the purpose of just inviting attention to the fact that all that argument on the merits of the question will be off the mark, so far as this Bill is concerned.

**Shri Kelappan:** My doubt is whether the validity of this Act can be questioned afterwards in a court of law if it is repealed....

**Mr. Speaker:** Which Act?

**Shri Kelappan:** The Basel Mission Trading Company Act which validated certain transactions entered into by the Trustees.

**Mr. Speaker:** The hon. Member will see that what the present Act seeks to validate is a transaction purporting to be done under that Act. If it was not justified under that Act, then whatever is said here in the saving clause cannot validate what was not valid *ab initio*.

**Shri Kelappan:** There are certain legal rights or obligations that have followed from that Act. All these are kept intact by the saving clause.

**Mr. Speaker:** But then the hon. Member's contention seems to be that whatever was created was not validly created. If his contention is well founded that what was created was not validly created, it is difficult to see how the saving clause can revive those things.

**Shri Kelappan:** It is not really reviving but taking away the right to question.

**Mr. Speaker:** But then I am entering into a legal argument. Let him conclude what he has to say.

**Shri Kelappan:** This Act was really passed to validate certain doubtful transactions. Now, if the present Bill does not affect those transactions and later on their legality comes to be questioned in a court of law, then will the contention stand when the original Act is repealed. Now, the property vests in the Commonwealth Trust.

**Mr. Speaker:** The facts are known. The Chair should not express any opinion on that and I do not express any opinion. He has already stated his arguments.

**Shri Kelappan:** My point is that we may eliminate this Act from the schedule, so that it may be considered by competent authority later on. There is no hurry in repealing this particular Act. If the Law Minister would be pleased to delete this particular Act from the schedule, I shall be satisfied.

**Mr. Speaker:** Does the hon. Minister wish to say anything?

**Shri Biswas:** I cannot say exactly why it was done—I mean the Banki Laws Act, 1881. But I may assure my hon. friend that no Act has been included which it was necessary to allow to continue. Take the Basel Mission Act, to which my hon. friend referred. There, the properties which were being administered by the Mission have all been transferred to others. The Mission is not functioning. The trusts are not functioning. After consultation with the various State Governments in whose area these properties were situated, action was taken by way of repeal. Then, as regards the Banki Laws Act, I was trying to look up the file but so far as I can see, no objection has been raised by any of the States concerned to the proposed repeal. I cannot lay my hands on the papers dealing with this particular item.

**Mr. Speaker**: May I suggest to the Law Minister to consider one argument as to whether all possible titles or defects in titles are not cured by the law of limitation? This particular thing happened in 1920, and we are now confined to the Basel Mission Act, to which the hon. Member is referring. The titles were validated by that Act. Now, is it contended that the validation was *ultra vires* or void *ab initio* and the Act should be kept alive just for the purpose of enabling people to challenge the transactions done under the Act which is sought to be repealed?

**Shri Biswas**: Whatever rights or disabilities were incurred, they are there. They are subject to the provisions of the General Clauses Act and also the express provisions contained in the savings clause.

**Mr. Speaker**: The hon. Member's difficulty is something which I am unable to follow. He says that the very fact of repealing this Act will create a situation by which a person who wants to challenge a particular transaction under that Act and say that it was void *ab initio* will be barred from raising that point.

**Shri Biswas**: For that purpose, I submit that there is no necessity to keep the Act alive. Suppose somebody acquired a title under an Act and somebody fifty years or a hundred years later seeks to challenge that title,—whether that challenge can be successfully made or not will not depend upon whether that Act is still in force.

**Shri N. C. Chatterjee** (Hooghly): This has been actually settled by a decision of the Patna High Court. The point was urged that a statute ought not to have been passed. The Bihar Estate Management Act was declared *ultra vires* and then it was repealed. The point was then whether you could challenge the legality of the repeal. The High Court, ruled that repeal or no repeal cannot affect the *ab initio* legality or otherwise of the Act. If that was illegal, then everything done under it was illegal. Therefore, the fact that it has been repealed does not affect the position. On the other hand, the High Court said that if the court had declared it illegal, there was the greater reason that it should be repealed; it was paying really deference to the rule of law.

**Mr. Speaker**: That clears the point.

**Shri Damodara Menon** (Kozhikode): I want to seek a clarification. I find two items in the notes on clauses: The Delhi Road Transport Authority and the Forward Contracts Regulation Act.....(*Interruption.*)

**Shri Biswas**: I am sorry, these two items should have been cut out. When the Bill was introduced in the Council of States, attention was drawn to the fact that these raised controversial issues and there ought to be separate laws. These items were withdrawn. In the case of one, a separate Act has been passed and the other one has not yet been passed. These items do not appear in the schedule; they appear only in the notes on clauses. The notes on clauses have not been amended obviously, but these two items ought to have been struck off.

**Mr. Speaker**: So, the position is clear.

**Shri V. P. Nayar**: May I speak opposing the Bill?

**Mr. Speaker**: I do not think so. That will be unnecessary waste of time.

**Shri V. P. Nayar**: I do not propose to waste the time of the House. I am equally conscious of the preciousness of the time of the House. But I do wish to oppose this Bill, because in Rule 16 of the Rules of Procedure the scope of discussion is detailed thus: "The discussion on a motion that the Bill be passed shall be confined to the submission of arguments either in support of the Bill or for the rejection of the Bill." I want to address arguments by which the House should reject this Bill; it should not take the Bill into consideration. Read along with Rule 75, this gives me ample scope.

**Mr. Speaker:** He may go on, but when he goes beyond the limits, I shall have to pull him up.

**Shri V. P. Nayar:** I will submit to the ruling of the Chair. You have the right to pull me up when I go astray.

**Mr. Speaker:** Let me see after he proceeds.

**Shri V. P. Nayar:** Yesterday, the hon. Minister reiterated that this is only a formal Bill. In such matters, we expect that the Law Minister will go through the statute book and find out which Bill should no longer be in the statute book because it is an oppressive Bill or an unwanted Bill. Looking at the present law, we find there are certain provisions both in civil and criminal law which revolt against fundamental rights and against the provisions of the Constitutions, because you find that in the law of civil and criminal procedure it was specifically mentioned and we were all along under the impression that certain rights enjoyed by the ex-rulers were rights which they got by virtue of .....(*Interruption*)

3 P.M.

**Mr. Speaker:** Order, order.

I won't allow him to proceed any further. I am putting the motion to the House.

**Shri V. P. Nayar:** Sir....

**Mr. Speaker:** I am not allowing him to argue on that line.

**Shri V. P. Nayar:** I am only referring to an answer given by Dr. Katju which makes it necessary....

**Mr. Speaker:** I have seen the point. He has dealt with the point. The point has been very much discussed. It is no use taking up time on that.

The question is:

"That the Bill to repeal certain enactments and to amend certain other enactments, as passed by the Council of States, be taken into consideration."

*The motion was adopted.*

**Mr. Speaker:** As I have held all the amendments to be out of order—the amendments of Mr. V. P. Nayar and Mr. K. K. Basu, jointly tabled—I shall put all the Clauses and Schedules together.

The question is:

"That Clauses 2 to 5 and Schedules First, Second and Third stand part of the Bill."

*The motion was adopted.*

*Clauses 2 to 5 and Schedules First, Second and Third were added to the Bill.*

**Mr. Speaker:** The question is:

"That Clause 1, the Title and the Enacting Formula stand part of the Bill."

*The motion was adopted.*

*Clause 1, the Title and the Enacting Formula were added to the Bill.*

**Shri Biswas:** I beg to move:

"That the Bill be passed".

**Mr. Speaker:** Motion moved:

"That the Bill be passed".

**Shri K. K. Basu:** Mr. Speaker, Sir, this Bill has been moved since it is one of the normal routine duties of the Law Minister to repeal such enactments which the Government consider to be unnecessary or obsolete. We also feel that in the dynamic society now run by the Government there are occasions when certain legislations or parts of them might not be necessary to be enforced for the conduct of the Government or for the running of society.

In this connection, we normally could have accepted the proposition as enunciated by the Law Minister and would have given our support, but, unfortunately, in view of certain events, I do not think we should give this support. Because, in 2½ years of this first elected Parliament, this is the second Bill that we are....

**Dr. Lanka Sundaram** (Visakhapatnam): One and a half years.

**Shri Gadgil** (Poona Central): He is very much progressive.

**Shri K. K. Basu:** This is the second time that we are having a Repealing and Amending Bill. When the Constitution was accepted by the people of our country, it was absolutely necessary in the spirit and letter of the Constitution that certain legislations should have been reviewed and amended consequently. We expected that immediately after the formation of the new Government, a Law Commission would be appointed....

**Mr. Speaker:** Order, order. I do not think it is necessary to go into that. I do not think I can allow that kind of argument to go on. The hon. Member will refuse to see that, what is sought to be done is to remove the dead parts of it. He is seeking to have a review of the entire legislation of the country. I do not know why only the Princes should have been brought in. He could as well have included, by way of amendment, the Preventive Detention Act and any other Act, or sought to have included any other Act in this. This is not a legislation for a general review of the entire Statute book. This is, in fact, a measure to remove the absolutely dead parts in respect of which there can reasonably be no scope for difference of opinion. I really do not understand how this kind of thing can be permitted by way of argument in the guise of opposing the Bill. I do not think I can allow that kind of speech to be made in this House. He wants a review; as he said, a Law Commission to be appointed, the whole field of legislation to be reviewed and all that. That may be done on some other occasion, but not on the occasion of this Bill. So, I am putting the motion to the House.

**Shri K. K. Basu:** Our submission was....

**Mr. Speaker:** I have heard the submission. It is no use repeating it.

**Shri K. K. Basu:** If you do not....

**Mr. Speaker:** I am very clear on that point.

**Shri V. P. Nayar** *rose*—

**Mr. Speaker:** Nothing now. I gave opportunities more than twice.

The question is:

"That the Bill be passed."

*The motion was adopted.*

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## PARLIAMENTARY CONTROL OF PUBLIC CORPORATIONS

**Mr. Speaker:** The House will now proceed with the further discussion on Parliamentary Control of Public Corporations.

May I know what time the hon. Minister is likely to take? The discussion concludes at 4 o'clock.

**The Minister of Finance (Shri C. D. Deshmukh):** About ten minutes.

**Mr. Speaker:** So, we will go up to 3.50 P.M. At 4 o'clock we have to begin the other business. Dr. Kirshnaswami.

[PANDIT THAKUR DAS BHARGAVA *in the Chair*]

**Dr. Krishnaswamy** (Kancheepuram): No one can gainsay, Mr. Chairman, the importance of the subject which we are discussing. Parliamentary control over nationalised industries is of great significance, and the approach to this question was put in apposite language in the House of Commons by the then Leader of the Opposition, Mr. Winston Churchill, when a similar discussion took place. He said:

> "This is a new field for us to explore, and we want to do so not on the basis of party, of Government and Opposition, but on the basis of how best the House of Commons can deal with this problem. On this issue, it makes no difference on which side of the House we sit. We want to try to

discover how best we can set up the proper relation between Parliament and the nationalised industries."

My hon. friend the Finance Minister yesterday skated on thin ice and parried the proposal for a Parliamentary committee by suggesting that Parliament already exercises sufficient control; he also expressed doubts and fears regarding the constitution of a Parliamentary committee, and the purpose it was likely to fulfil.

But I must point out that we entertain deep misgivings regarding recent developments, particularly the developments that we have been witnessing in the field of a nationalised industries. It is not the issue of nationalisation that has been called into question. It is a question of what type of organisation should be constituted for the purpose of running these nationalised industries efficiently and in the public interest. We know that nationalised enterprises like the post office and telegraphs are subject to detailed scrutiny by Parliament, but other concerns run by corporations and private limited companies tend to fall outside the scope of Parliamentary control. In his speech, my hon. friend the Finance Minister referred to checks that are exercised by the Public Accounts Committee. We know, Mr. Chairman, what checks are exercised by the Public Accounts Committee. Without meaning any disrespect either to the Public Accounts Committee or to the Estimates Committee, I must point out that it is not fitted by its very constitution to go into these questions at considerable length and in great detail. In the first place, the Estimates Committee can find time to consider at the most the working of a single Ministry for a year, and as for the Public Accounts Committee, it has the opportunity of examining these nationalised industries only from the angle of treasury or administrative control. We require an entirely different mechanism to supplement the investigations of the Public Accounts Committee, and that, I think, is the main argument in favour of the proposal for a Parliamentary committee being constituted to enquire into the working of corporations.

We are in Parliament voting considerable sums of money out of our Consolidated Fund, to these various enterprises, and so long as we continue to do so, Parliament has an inherent right to review and to determine how this money should be spent. A reference was made to the Comptroller and Auditor-General yesterday, and a grievance was made of the fact that the Comptroller and Auditor-General had been rather severe in his criticism in suggesting that detailed Parliamentary scrutiny of this expenditure should be maintained. What else is expected of a Comptroller and Auditor-General, except to insist that if funds are diverted from the Consolidated Fund, there ought to be the strictest control exercised, and the various rules that have been evolved by a succession of auditors through long years should be observed both in letter and spirit?

My hon. friend the Finance Minister said that some of these private limited companies had been formed as a sort of emergency measure. I can realise the importance of having private limited companies. But the question which I should like to ask Government is this: Was it necessary to have formed these private limited companies at a very early stage? I look upon the funds that are diverted from the Consolidated Fund, as a sort of payment for the constitution of these companies. It is a sort of equity investment in these private limited companies, and so long as these funds are met out of the Consolidated Fund, the Comptroller and Auditor-General has the right to examine and determine according to the rules and procedure that he has evolved as to whether these funds are properly spent.

**The Minister of Production (Shri K. C. Reddy):** He is doing it even now.

**Dr. Krishnaswami:** I know, but I am referring to the fact of Sindri

[Dr. Krishnaswami]

being a private limited company. We ought not to have made it a private limited company at all.

**Shri K. C. Reddy:** What I meant to say is that even in the case of private limited companies, in actual practice, the Comptroller and Auditor-General is auditing the accounts. For instance, in the Sindri Fertiliser Company, and the Hindustan Shipyard, there are resident parties of the Auditor-General, and audit is going on in exercise of the inherent right of the Comptroller and Auditor-General.

**Shri A. M. Thomas** (Ernakulam): May I know whether there is any provision in their Articles of Association to that effect?

**Shri K. C. Reddy:** Yes, there is a specific provision in the Articles of Association of all the limited companies providing for such an audit.

**Dr. Krishnaswami:** But these are not submitted to Parliament, and that is the point which I wish to emphasise.

**Shri K. C. Reddy:** It is for the Auditor-General to decide as to what course of action he wants to take.

**Dr. Krishnaswami:** We would be putting the Comptroller and Auditor-General in a very embarrassing position, if we leave it to him to determine the course he should take. I suggest that while it may be proper for us to have funds diverted for the purpose of initial construction, once we decide to have a private limited company, obviously other types of rules will have to be devised, a different system of checks and balances will have to be devised. We might have, for instance, a chartered accountant to go into the accounts, because a commercial firm necessarily operates on different lines from a Government department. I am mentioning this point only to suggest that we ought to have gone into this matter more clearly. We must have a clear idea of the consequences that ensue from the constitution of a private limited company. Once a private limited company has been formed by the Government, after the construction of the factory, the private limited company should go into the open market and borrow funds for working capital, and submit its balance-sheets and accounts to a chartered accountant. Thereafter we should have a different type of check from a Parliamentary committee.

My hon. friend, the Finance Minister, adopted—he will forgive me for suggesting it—two inconsistent positions. In one breath he suggested that corporations and private limited companies were a mechanism for operating efficiently large scale commercial or industrial concerns, and that therefore they ought to be autonomous. In another breath he affirmed that executive directions were given particularly to corporations which had officials on its directorate. He stated further that these executive directions were invariably carried out by these officials on the corporation. I would like to point out that the executive directions are of sufficient importance

....

**Shri C. D. Deshmukh:** Directives of the executive, not executive directions. There is a lot of difference between the two.

**Dr. Krishnaswami:** I stand corrected. I shall say directions given by the executive, shall we say, the Finance Ministry, to the corporation which has officials on the Board of Directors. But there is a grave danger, if these executive directions are given continuously, of the Minister himself becoming an integral part of of the management of the industry, which is formed by funds, from the exchequer, and which cannot be subject to parliamentary control, on the ground that it is an autonomous body, but which turns out on examination to be not so autonomous after all! It is a danger which we have to safeguard against. What we are striving for is parliamentary control. We know that directions from the executive may be not in the public interest on several

occasions. In so saying, I am not imputing motives to the Executive, but I affirm that it is wrong in principle and more wrong in practice to depend merely on executive directions for enforcing proper financial control. As has been pointed out by Mr. Robson in his analysis of statutory undertakings and their relations to Parliament, directions given by a Minister to corporations or autonomous bodies lead to a great deal of confusion, lead to Parliament being kept in the dark and this in its turn leads to an absence of financial control. Executive directions, in my judgment, Sir, have to be confined to a very narrow compass. And, particularly in the case of India where there are officers on the Boards of Directors of Corporations, it follows that these executive directions have to be kept within a narrow ambit.

The other matter that was referred to by the Finance Minister is that there are annual reports submitted by these Corporations to Parliament and that discussions take place on them. I do not deny the importance of annual reports that are submitted by bodies like the Industrial Finance Corporation, by the Sindri Fertiliser Company or by the Damodar Valley Corporation. But, I should like to ask Members on the other side: what is the significance of these annual reports from the viewpoint of parliamentary control? I have grave doubts regarding the value of these reports because invariably Parliament is not clear when it is criticising these reports as to whether it is criticising the Board or the Minister. It becomes a purely party affair and it becomes difficult for Parliament to rivet its attention on how a nationalised industry works and what its relation to the national economy as a whole is. Very often, we find the spectacle of Ministers getting up to defend Boards under the impression that it is they that are being criticised, whereas, as a matter of fact, what Parliament has in view is the efficiency of autonomous bodies for promoting the objective of public utility. A roving discussion on an annual report is certainly not the best method of discussing the efficiency and progress of a major industry.

My friend from Visakhapatnam pointed out that most of these concerns were giant monopolies. I should like to underline this fact. It is because they are giant monopolies that we have to subject them to public control. They are monopolies nationalised to subserve public interest. Who is to be the judge of public interest Parliament or the Cabinet? I venture to think that while the Cabinet can be responsible for the administration of the affairs of this country, Parliament is in the ultimate analysis the real judge of public interest. Complicated questions relating to the pricing of services, shall we say the pricing of fertilisers, cannot be arranged behind the scenes by directions from the Executive to the Board of Directors either of the Sindri Fertilisers or the Damodar Valley Project. (*Interruption.*) I am not trying to score a point but I am trying to point out how we have an interest in the pricing of services to consumers. The point is that in all important matters dealing with the assessment of conditions in which efficient management can flourish, problems relating to employers and employees, problems relating to social interest and public utility, Parliament is certainly the final judge and it is to Parliament that people look for taking a direct interest in such matters. It is too often suggested by some that Parliament might interfere in the day to day administration of these Corporations. A Parliamentary Committee with clear terms of reference cannot and will not convert itself into a perpetual shareholders' meeting or a consumers' complaint bureau. What it will do is to take up those matters pertaining to policy, matters pertaining to relations between employers and the employees. In the case of these Corporations one of the reasons for the Government not having them run as departments is that in these Corporations complicated relations between the employees and the employers are meant to be solved by the Board of Management

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and the Government steps in if at all as an umpire.

I venture to suggest, Mr. Chairman, that it is most important that a Parliamentary Committee should be constituted forthwith to go into these matters. Such a Committee cannot content itself with a post mortem examination of what has occurred in these enterprises. My hon. friend from Baroda said that what he wanted was business-like efficiency. We want business-like efficiency in these nationalised enterprises, though we do not want national enterprises to be run on the criteria on which private enterprises are run. Here it is a case of trying to find out whether we get the maximum amount of work and service for the money that we have expended. My hon. friend the Finance Minister said that we are groping in the dark, as it were, that we were at an early stage in the evolution of nationalised concerns in our country. May I not ask him whether this is not the proper time to have a parliamentary mechanism of control? After all, let us start with a parliamentary committee which goes into this question of how far these enterprises are working efficiently and then later on by gradual experience, by a process of trial and error, let us have some of these restrictions relaxed. The doctrine of self-abnegation propounded by the Finance Minister can come into operation only when a Parliamentary Committee has been constituted, only when accountability of these enterprises to Parliament is assured. I think that in all these important matters it is possible to have a sense of perspective. In the case of corporations i.e. nationalised corporations naturally we want the proposed Parliamentary Committee to concern itself with the question of budgets of revenue and expenditure prepared by these corporations. In the case of some nationalised concerns like Sindri we may have for a long period to reconcile ourselves to deficits. The fertilisers may have to be sold at subsidised prices to the consumer. But then Parliament which defrays such losses would be in a position to determine the criteria which should be taken into account in selling goods at a loss. The Parliamentary Committee may furnish us with material for putting meaningful questions. Discussions in Parliament would be conducted on more business-like lines; advice given to the Ministry would bear on it the stamp of technical expertness instead of being too vague and general.

Some of the criticisms that have been advanced, namely that it would be practically interfering with the autonomy and initiative of these bodies do not have validity as is suggested by some of my hon. friends opposite.

Sir, today we are handicapped in putting questions in relation to how these Corporations work because of lack of knowledge. Once you make these Corporations accountable to Parliament and once knowledge is available, it would be possible for us, the Members of Parliament, Members of the House of the People who provide these Corporations with funds, to put meaningful questions and to make people to whom we are accountable realise that something important is being done in this great House of the People.

**Shri Gadgil** (Poona Central): Mr. Chairman, I think I am entitled to contribute something to this debate because I was the principal man concerned with the inauguration of some of these public enterprises, the Damodar Valley Corporation and the Sindri Fertiliser Company. The point really is, as I understand of having parliamentary control, in what form and with what scope. It is not the Government's case, as far as I can understand, that there should be no parliamentary control over investment of public money whether in the form of a Corporation or of a Private Limited Company as one finds in the Sindri Fertilisers, or a joint concern as we find it at Visakhapatnam, or a direct activity conducted by the Government departmentally. It is

nobody's case that there should be no parliamentary control. The question is what should be the scope of parliamentary control. Is it the case that even a little project, before it is worked out, and initiated, must be presented to the Parliament? Is it the case that everything, every nut and bolt of the machinery, and every clause and schedule of every agreement entered into by the Government with some other party should be the subject matter of discussion in this House?

**Mr. Chairman:** I may draw the attention of the hon. Member to the fact that I propose to conclude the discussion at 4 p.m., and at 3.50 I propose to call the hon. Finance Minister. There are many other Members also wishing to speak. I request him to kindly take as little time as possible, and not take, at the most, more than ten minutes.

**Shri Bansal** (Jhajjar-Rewari): I may suggest that in view of the great importance of this subject, the discussion may be continued by sitting even after 6.30 p.m.

**Several Hon. Members:** No, no.

**Shri S. V. Ramaswamy** (Salem): May I suggest that it be taken on Monday also?

**Mr. Chairman:** It would be closed today.

**Shri Gadgil:** If it is agreed, if it is common ground that the minor matters are not to be the subject matter of discussion in this House, then let us understand what can be the mechanism of parliamentary control over investments so far as these corporations and public companies or enterprises are concerned. In the first place, my hon. friend, Dr. Krishnaswami, was very wrong in saying that the Minister defended those schemes in a party spirit. In a parliamentary democracy, the initiative must rest with the government of the day. Therefore, whatever activities are carried on by the Government or on behalf of the Government, the responsibility is that of the Government of the day. Here, you have an opportunity to throw out the Government if you are not satisfied with the conduct of the Government in this particular sphere or in that particular sphere. That is an overall responsibility. Next, you have in the presentation of the budget that part which deals with capital investment, and in the discussion on the budget or where some taxes are sought to be levied—the Finance Bill—there is another opportunity for exercising parliamentary control. I agree that in these matters the criticism cannot be pointed or specific. But, as has already been said by the Finance Minister and referred to by my friend here, the annual reports of all the public enterprises are placed before this House. I have had to deal for three long years with the annual reports of the Damodar Valley Corporation and I did not notice any lack of interest on the part of the House in them. Several questions were raised, discussions were continued, and to the extent possible, the House was convinced that what was going on was more or less correct. We have yet to reach the goal.

Now, the point really is, will the appointment of a committee, as suggested by Dr. Lanka Sundaram, help the position? That is really the point. My own feeling is that it may be like any other Parliamentary committee. What is the committee going to do? Is it going to interfere with what is being done actually at that moment, or, is it going to suggest long term plans? Is it going to measure the efficiency and standard by mere economy?

**Kumari Annie Mascarene** (Trivandrum): Scrutinize.

**Shri Gadgil:** It will be a wrong measure. For example, an Embassy outside may be judged—they may be judged as efficient if they have spent very little, but it is not the test of efficiency. The test there is how far the Embassy has succeeded in keeping good relations between the two countries. Therefore, in any particular public enterprise, what is it that

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we think to be the standard or measure of efficiency? Is it that the cost of production has gone down? Is it that the prices have become less for the consumer or is it because the relations between labour and management are good? These are some of the tests for judging whether the particular nationalized industry is or is not successful. I honestly feel that the concern of Parliament is to see that a proper policy is followed—not whether a few rupees have been spent wrongly or have been spent much more than is desirable. If the expenditure is so gross, it really becomes a matter of policy. It is not that you are paying less attention to the expenditure. But the main criterion is: what was the object of that particular enterprise? If that object is achieved, by and large, Parliament should not concern itself with the details.

Now, we are entering—in fact we have entered on a mixed economy. More and more production will be had on behalf of the Government. Today, there are half a dozen public enterprises. It may increase to 60, 70 or 80. Is it the desire of the Members of this House that they should have detailed information about the 60 or 70 or 80 concerns. I think then the time of the House will be spent in discussing all these things, and other matters far more important will be neglected. Therefore, the point is what should be the mechanism of parliamentary control that will be really appropriate and is enough to meet the situation. I suggest two alternatives. One alternative is that the Finance Minister should have a separate budget for all these industrial projects that are conducted on behalf of Government in a separate statement, so that the criticism may be pointed, the criticism may be specific.

**Dr. Lanka Sundaram** (Visakhapatnam): Would that include the ordnance factories and the Chittaranjan Locomotive Workshop?

**Shri Gadgil:** As I said, there are activities which are directly carried on by the Government and according to my friend here they can be special matters of questions and detailed discussion, this, that and the other; obviously it is not necessary to include them. Where the Government has a predominant interests or exclusive interest like the Sindri Fertiliser Factory, a consolidated report of the activities of the factory, not merely the statement or annual reports of the 50, 60 or 70 firms—that will not help—but a consolidated report should be furnished. Therefore, I am making two suggestions: one is that the budget for all these capital projects which are undertaken by the Government or in which Government have predominant interest should be embodied in one statement and should be put before the House and a day allotted for discussion of the same. Secondly, there should be,—not the small reports, they must be on the Table of the House, because under the provisions of the Damodar Valley Corporation some of them have got to be kept here and similarly, under the Act we passed about the aviation control, those statements will have to be laid here,—but a correct picture about the investment position of this Government, and it must be made readily available in a very simplified form to the Members of the House and that can be done by having a consolidated report before the House. These are the two suggestions I am making. The parliamentary committee is bound to interfere with what is being done every now and then. It will be a rival to the Executive and a venue for lobbying. There are matters which cannot be discussed, because, if they are discussed prematurely, the object may not be achieved at all. You must leave fair discretion to the officers concerned or to the Ministers concerned and when the project is completely ready to be put into action, you have ample opportunity. Otherwise, it is common experience that premature discussion or publicity is responsible for more ills than anything else. So, knowing the fact that we are going more and more towards nationalization, it must

be the concern of Parliament that there should be control over the investment of the public funds by the Government. That is an accepted proposition. The only question is what should be the mechanism? The one suggested in the shape of Parliamentary Committee, I think, is not likely to answer the purpose for which it is conceived. I have suggested some alternatives. There may be many others, and I am sure the Government will consider all those suggestions that may be made hereafter.

**Shri N. C. Chatterjee** (Hooghly): Mr. Chairman, Sir, there is a proverb in my part of the country which says: "An auntie loves the baby more than the mummie." The hon. Ex-Minister loves the Government more than the hon. Finance Minister. Has Parliament ever made such a fantastic suggestion that it wants to scrutinise the nuts and bolts of the several corporations?

**Shri Gadgil:** Have you ever seen the questions asked in the course of last five years? One was how many Bengalees were engaged in the D. V. Corporation?

**Shri N. C. Chatterjee:** Has the hon. Ex-Minister cared to read the Public Accounts Committee Report? Has he read what the Comptroller and Auditor-General has said. The Auditor-General has said that recent developments show a whittling down of parliamentary control on public moneys. Parliament has every right, Sir, to go into this question and we are deeply concerned over this situation. This Parliament should congratulate itself that one of the most important functionaries has been assigned a place equal to the Supreme Court Judge in this country, namely, the Comptroller and Auditor-General and that position is filled by a man of experience, ability who has the courage to call a spade a spade. What has that man of experience and courage said? He says:

> "The formation of private companies under the Indian Companies Act for the management of governmental undertakings is a fraud on the Companies Act and also on the Constitution of India."

Sir, I do not think that this functionary meant to suggest that there has been dishonesty on. But for aught we know it means—as has been stated by Maxwell and Craies' books on Statutes—it is a fraud on the Act, a fraud on the Statute. That means you are paying lip-service to the constitutional famework, but you are violating the spirit of it. That is what this important official has pointed out. He says that money is being taken away from the Consolidated Fund for establishment and transformation of certain concerns into private companies in the name of the President and Secretary to Government, and that is not the proper thing to do.

Sir, taking the subject seriously, every country, every nation which has socialised or nationalised its public undertakings has got to face the problem which this Parliament is facing today. England faced it. You know, Sir, they had nationalised some of their industries. Post-war urge for nationalisation was prompted by the hope that the industries would be profitable and that they would be properly managed, solely in the public interest. After some time they discovered that unless Parliament is more vigilant, and more active, the industries would not be properly run. Therefore, as my hon. friend Dr. Krishnaswami has pointed out, they went into the matter very carefully. Now, what did the British Parliament do? The British Parliament realised that there must be some machinery to supervise and that supervision should be more effective than what was done previously. Therefore, they appointed a committee. That Committee went into the matter at great length and they found out that Members of Parliament will not be doing their duty to the country and to the taxpayers unless they have a voice in the proper administration of these concerns. What is the good of saying that the House of the People is sovereign, that we are the watch-dogs, we are

[Shri N. C. Chatterjee]

the custodians of the national revenues, unless we do something in this direction? That is exactly what the House of Commons did.

A Committee was set up for the purpose of finding out and devising a suitable mechanism to bring about a synthesis between the two aspects, synthesis between control and freedom, synthesis between parliamentary scrutiny and autonomous working of these different corporations. Nobody wants that all initiative should be taken away; nobody wants that they should be kept completely under the control of a Committee in their day to day administration. Nobody wants that. What that Parliamentary Committee recommended was this.

First, they said that a new Committee of the House of Commons should be set up; secondly, they should take over from the Public Accounts Committee the work of looking into the nationalised industries; thirdly, unlike the Public Accounts Committee, the new Committee should have the power and should have the duty to have regard not merely to past financial transactions, but also present financial probity and stability and also future plans and programmes. And lastly, the staff should include an officer of the status of the Auditor-General and at least one professional accountant.

Sir, what is the harm in adopting this course? That has not paralysed the nationalised industries; that has not impeded their efficiency, or their working. This Parliament, Sir, in my humble opinion, should appoint a committee on those lines. If they have succeeded in England why should we not succeed in India? That would bring about the minimum amount of interference in the day to day administration. Nobody wants that a House composed of 499 Members should look into these things from day to day. What we are suggesting is the appointment of a committee to look at it from the point of view of parliamentary scrutiny. Are we doing our duty? Can we do our duty? Has the Public Accounts Committee done its duty? Has the Estimates Committee done its duty. Let us be frank. Neither the Public Accounts Committee, nor the Estimates Committee has the time or the opportunity to go into the working of these corporations.

**Dr. M. M. Das** (Burdwan—Reserved—Sch. Castes): Is the hon. Member quoting somebody, or is it his own opinion?

**Shri N. C. Chatterjee:** This is a fact which I am stating. Let the Chairman of the Public Accounts Committee contradict me.

**Dr. M. M. Das:** Perhaps, it is your opinion.

**Shri N. C. Chatterjee:** It is a fact, Sir, not a question of opinion. It is a fact which I am asserting. Let the Minister contradict me, if I am wrong; I shall be happy to be corrected. The Public Accounts Committee really makes a post mortem examination after things have been finished, possibly two years later. What I am suggesting, Sir, is the constitution of a Committee as they have done in England, a permanent committee which will be going into these matters from time to time. That will be a healthy check on these public corporations; they will realise their responsibilities. There will be no question of their making a splash for the purpose of hitting the headlines, or for the purpose of party politics: nothing of the kind.

**Dr. Lanka Sundaram:** Their procedure will be secret.

**Shri N. C. Chatterjee:** In fact there will be no publicity; there will be no propaganda. That will be a great check on making impractical suggestions or making propaganda. What I am suggesting, Sir, is that we should accept that suggestion; we should not throw it out. It will do good both to the Government as well as to the undertakings concerned.

The most important thing is that you have a kind of monopoly. When you put up a big corporation, what about the price structure, what about the wage structure. They can indulge in all the painful activities of a monopolist. They can put up any price and hit the consumer. In the interest of the tax-payer, in the interest of the consumer, in the interest of parliamentary democracy, in the interest of discharging our elementary duty, as custodians of public revenues, I appeal to the hon. Minister to pay attention to this suggestion, which is not brought forward in the spirit of a carping critic, but of a friendly critic, to help the Government and to help the industries concerned.

**Shri K. K. Basu** (Diamond Harbour): Sir, public corporations are organised with a specific purpose, namely that there must be a certain amount of flexibility in their working. But they have a social value also. We fully concede that these corporations must have a certain amount of autonomy. But it is absolutely necessary, in view of the fact that large amounts of public moneys are diverted to these corporations that Parliament should have some sort of control over them. Though we have our Estimates Committee and the Public Accounts Committee, we know from our experience that it is very difficult for them to check the activities of these public corporations.

The House is aware that quite recently a Committee was appointed to investigate into the working of the Damodar Valley Corporation, and it reported that on a particular dam alone about Rs. 1 crore could have been saved. In the case of Hirakud the Public Accounts Committee gave a verdict that a good lot of money could have been saved if it had been properly worked. In view of the fact that as much as about Rs. 540 crores consisting of the Centre's as well as the States' share, is going to be invested in the multipurpose projects, it is absolutely necessary that Parliament should have some control over these undertakings. I need not go into details. But so far as companies are concerned which are entirely owned by the nation, where the shares are held in the President's name—and we naturally go in for such concerns in respect of such industries as heavy or basic industries which we or the Planning Commission consider necessary for our development and for increasing the national wealth of the country—in these concerns, if we take the normal standpoint of a shareholder of a limited company, the shareholders have a certain say and they must know something about the working of the institution. But here when we ask questions or when we get reports, the Minister says sometimes that "it is difficult to give details because it is an independent organisation, apart from the general information we cannot give details". Only a few months after a scandal comes out in the press there is a big row here or outside and then we have a discussion. We feel as ordinary shareholders, because the shares are in the name of the President as representative of the nation—the nation is the share-holder—so we feel that the representatives of the nation, this Parliament must have a right to know how the money is utilised, how the corporations work, how the private limited companies work.

We have heard allegations—we do not know how far they are true—that the Hindustan Cable Factory is not working to schedule. Reports came in the papers that the experts are not acting properly as a result of which Government will have to order for Rs. 4 crores worth of cable to be brought in, in view of the fact that the factory is not producing in time.

In Sindri the investment has risen from Rs. 10 crores to Rs. 27 crores. We could not properly utilise all the by-products. This investment of Rs. 27 crores is hardly giving 1 per cent. of dividend. The nation, as a shareholder, is losing the dividend which it should have got in Sindri. In this connection there is one point, as the mover of the discussion has said. We know that Mr. B. C. Mukerjee who was in Sindri—I

[Shri K. K. Basu]

do not know his efficiency, whatever it may be—was sent abroad in connection with fertilizer business. But immediately on his return his services were not utilised for Sindri. In respect of this and other problems, as for instance Shipbuilding where there is the question of treatment of labour, the interest of the consumer, the price structure or the manner in which it is working, whether it is working in the larger interests of the nation—in respect of all these matters we feel that it is absolutely necessary that there should be some control of Parliament. Also, where large sums of money are taken either as a loan directly or by the State guaranteeing it, we feel there should be some sort of parliamentary control. I fully agree that such a parliamentary committee cannot go into all the details, but at this formative stage where money is spent by these public corporations like D.V.C. directly or by raising a loan outside for which the nation is the guarantor, we must know how the money is spent. When these corporations become self-sufficient then there may be a possibility of making them autonomous. The hon. Minister should work out how a permanent parliamentary committee may look into such investments. Because under our Plan nearabout Rs. 140 crores is set apart for the industrial sector and Rs. 540 crores on multi-purpose projects. There should therefore be some sort of control by which we, the Members of Parliament, as representatives of the nation could keep a watch over the working of these national undertakings.

**Shri C. D. Deshmukh:** Mr. Chairman, Sir, I think this debate has suffered from two defects, one, that we are concentrating our attention only on one aspect of a very important general issue and, two, that there have been advanced a great many false analogies.

So far as the general issue is concerned it is that of the efficient conduct of State enterprises. And I myself think it would have been desirable had we had a full dress debate on the general issue of how to manage State enterprises.

The question of parliamentary control or ministerial control is only one, although very important, aspect of this general question. Therefore it is somewhat difficult for Government spokesmen to answer some of the points which perhaps go to the root of efficiency of management rather than the discharge of Parliament's or the Minister's responsibility for financial control.

The second general point I would like to make is that, as far as I can make out, the recommendations made in regard to the nationalised industries by the Select Committee in U.K. have not yet been approved of by Parliament—to my knowledge. Therefore I am surprised at statements made that they have worked very successfully and so on.

**Shri Gadgil:** Wishful thinking.

**Shri A. M. Thomas:** They are also groping in the dark.

**Shri C. D. Deshmukh:** I think so, Sir. So, that is the second point I like to make.

The third point I would like to make is that so far as the Comptroller and Auditor-General's observations are concerned, the issue that he has raised has only a temporary and limited import. One may quarrel with the use of words, but certainly the point he has raised is very important, and, as the House might have gathered from the observations that fell from my hon. colleague, we are well on the way to settling these issues.

So far as regularising the matter is concerned, I have already hinted that we shall have recourse either to some amendment of the Company Law or we might bring a Bill forward in regard to the control of State Corporations. But whichever way we do it, we shall solve the difficulties which the Comptroller and Auditor-General has raised.

I shall not take the time of the House by quoting the various provisions that already exist in regard to audit, that is to say, giving the

Comptroller and Auditor-General the right to audit. The latest instance is the amendment of the Industrial Finance Corporation Act. There we have specifically provided, as we had provided earlier in regard to the State Finance Corporations, that the Comptroller and Auditor-General shall have the right to audit.

The next point I would like to make is that this differentiation between State enterprises and the general business of governance by the executive is apt to be exaggerated. In effect they are the same. They are the discharge of executive responsibility. Now, for certain reasons, partly historical, some very big activities, utility services like Railways, Posts and Telegraphs have never been created into corporations. Therefore they continue to be under the continuous observation and vigilance of the House. For certain other purposes, as for instance for the fancied advantages of so-called business management, we are trying out this organisation of corporations or companies. Now, in regard to these two forms we have not yet made up our mind as to which of them is superior or whether one should be chosen to the exclusion of the other. That is a matter of convenience. So far as Government is concerned I believe there will be advantages in both. Therefore it may be that we might both have to put in that amendment that I spoke of to the Company Law and also to provide separately for State corporations.

**Shri B. Das** (Jajpur-Keonjhar): We have to examine the thing in detail and not jump to any conclusion.

**Shri C. D. Deshmukh:** That is what I say, that we might favour the form of a company where there is participation with other private interests. And that participation may be of varying degrees. The point I wish to make here is that it is all a part of the executive business of Government. And I cannot really understand the difference of the importance of expenditure, say, in Sindri and the importance of the expenditure in the army. What is it? In the army we are spending Rs. 200 crores—not capital—but Rs. 200 crores every year. And yet Parliament gets only certain prescribed opportunities for supervising this work, and there is no limit on the power of Parliament to ask questions. In regard to State corporations and companies also, as the hon. Member there has suggested, Parliament may indicate that they would like to have certain statements and forms which they would specify or indicate, and we would be only too happy to supply whatever information Parliament wants, at the proper time. My point is it will be only at certain times and in a certain manner that Parliament will exercise that function. That would be usually at the discussion on the annual Budget statement, or there may be special discussions or there may be questions and answers and so on.

4 P.M.

**Shri U. C. Patnaik** (Ghumsur): The annual budgets of these corporations do not come before Parliament.

**Shri C. D. Deshmukh:** That was the point that I was making. If Parliament wishes that the budgets of these corporations should come before it, I myself do not see any reason why the necessary information should not be given. It is a matter of issuing directives to the corporations. That we shall ensure, if it is a matter of private companies, in the Bill that we have in mind. In the amendment we might provide that, in addition to other things and exemptions from certain clauses of the Company law, and besides the duties laid on these companies, they must have another prescribed statement giving the necessary details because public money is involved, and audit by the Comptroller and Auditor-General shall be compulsory and in the usual way, these reports will be submitted to Parliament and will be scrutinised by the Public Accounts Committee. I cannot see any obstacle to any of these processes. This matter has been dealt with in two reports: the general issue either of Government administration or of administrative efficiency and conduct of state enterprises.

[Shri C. D. Deshmukh]

I shall not again read out all that. On pages 16 and 17 of Shri Gorwala's report, there is reference to this matter and also on pages 55 and 56 of Mr. Appleby's report, there is reference to this matter. The point is whether, at the present stage, we need such a Committee. As I argued yesterday, we may wait a little and see what patterns we evolve and what experience we gather. No limit, we find, exists in practice over the absolute right of Parliament to ask questions and to elicit information. In the fullness of time, there is nothing to stop us from setting up any body, which, as far as I can see, will be a sort of a combination of the Public Accounts Committee and the Estimates Committee for the special purpose of going into the accounts and affairs of these corporations. Actually, the Public Accounts Committee has been setting up Sub-committees to go into certain matters. That is another device which could be adopted. Therefore, at the moment, I think it is inadvisable—it is not a question of being improper, it is a question of being inadvisable—in the opinion of the Government. If we hurry too much in this matter, there is always the danger of our tnrowing out the baby with the bath water.

**Mr. Chairman:** Now, we take up Private Members' Business. In regard to the first item, that is the motion in the name of Shri M. A. Ayyangar, we will take it up at 6 o'clock. That is, the consideration of the Report has been fixed to be taken up at 6 o'clock. Now, Private Members' Bills to be introduced.

## UNIVERSITIES (EXTENSION OF JURISDICTION TO OTHER STATE OR STATES) BILL

**Shri Sivamurthi Swami** (Kushtagi): I beg to move for leave to introduce a Bill to extend the jurisdiction of a University of any State in India to other State or States linguistically connected or for any other purpose and to provide for matters connected therewith.

**Mr. Chairman:** The question is:

"That leave be granted to introduce a Bill to extend the jurisdiction of a University of any State in India to other State or States linguistically connected or for any other purpose and to provide for matters connected therewith."

*The motion was adopted.*

**Shri Sivamurthi Swami:** I introduce the Bill.

## GOVERNMENT OF PART C STATES (AMENDMENT) BILL

**Shri Dasaratha Deb** (Tripura East): I beg to move for leave to introduce a Bill further to amend the Government of Part C States Act, 1951.

**Mr. Chairman:** The question is:

"That leave be granted to introduce a Bill further to amend the Government of Part C States Act, 1951."

*The motion was adopted.*

**Shri Dasaratha Deb:** I introduce the Bill.

**Mr. Chairman:** The Bills standing in the names of Shri Biren Dutt and Shri V. P. Nayar are barred.

## TRAINING AND EMPLOYMENT BILL

**Shri D. C. Sharma** (Hoshiarpur): I beg to move for leave to introduce a Bill to make provision for employment and training for employment and to establish a comprehensive youth employment service.

**Mr. Chairman:** The question is:

"That leave be granted to introduce a Bill to make provision for employment and training for employment and to establish a comprehensive youth employment service."

*The motion was adopted.*

**Shri D. C. Sharma:** I introduce the Bill.

## UNEMPLOYMENT RELIEF BILL

**Shri V. P. Nayar** (Chirayinkil): I beg to move for leave to introduce a Bill to provide relief to unemployed workers.

**Mr. Chairman:** The question is:

"That leave be granted to introduce a Bill to provide relief to unemployed workers."

*The motion was adopted.*

**Shri V. P. Nayar:** I introduce the Bill.

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## CHARTERED ACCOUNTANTS (AMENDMENT) BILL

**Shri C. R. Narasimhan** (Krishnagiri): I beg to move for leave to introduce a Bill further to amend the Chartered Accountants Act, 1949.

**Mr. Chairman:** The question is:

"That leave be granted to introduce a Bill further to amend the Chartered Accountants Act, 1949."

*The motion was adopted.*

**Shri C. R. Narasimhan:** I introduce the Bill.

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## INDIAN CATTLE PRESERVATION BILL—*Contd.*

**Mr. Chairman:** The House will now proceed with the further consideration of the following motion moved by Seth Govind Das:

"That the Bill to preserve the milch and draught cattle of the country, be taken into consideration."

**सेठ गोविन्द दास** (मंडला-जबलपुर—दक्षिण) : सभापति जी, २७ नवम्बर को जब मैंने अपना यह विधेयक विचार करने के लिए उपस्थित किया उस समय मैंने आरम्भ में कहा था कि जो लोग यह समझते हैं कि हम कट्टरवादी हैं, हम सम्प्रदायवादी हैं, वे हमारे साथ अन्याय करते हैं। अपने इस कथन के प्रमाण स्वरूप में आपके सामने इस देश के कुछ महापुरुषों के वचन उपस्थित करता हूं। राष्ट्रपिता महात्मा गांधी ने यह कहा था : "भारतवर्ष में गोरक्षा का प्रश्न स्वराज्य से किसी प्रकार भी कम नहीं। कई बातों में तो मैं इसे स्वराज्य से भी बड़ा मानता हूं। जब तक हम गाय को बचाने का उपाय ढूंढ नहीं निकालते तब तक स्वराज्य अर्थहीन कहा जायगा। देश की सुख समृद्धि गौ और उसकी सन्तान की समृद्धि के साथ जुड़ी हुई है"। हमारे जो आज राष्ट्रपति हैं, डाक्टर राजेन्द्रप्रसाद जी, उन्होंने कहा था : "हिन्दुस्तान में गायों के लिए इस तरह की भावना है कि उनको मारना लोग पसन्द नहीं करते। यह जो बहादुरी की सलाह दी जाती है कि जितने खराब जानवर हैं उनको कत्ल कर दिया जाय मैं समझता हूं इसमें बहादुरी ज्यादा है बुद्धिमानी नहीं। यदि हम इस काम को करना चाहेंगे तो अपने खिलाफ एक बड़ी जमात पैदा कर लेंगे"। इस समय महात्मा गांधी के जो सबसे बड़े शिष्य सन्त विनोबा भावे हैं उन्होंने हाल ही में इस सम्बन्ध में जो कुछ लिखा है उसके मैं दो उद्धरण आपके सामने उपस्थित करता हूं। सर्वोदय के नवम्बर १३, १९५१ के अंक में उन्होंने लिखा था : "इस देश में गौ हत्या नहीं चल सकती। गाय बैल हमारे समाज में दाखिल हो गये हैं। सीधा प्रश्न यह है कि आपको देश का रक्षण करना है या नहीं। यदि करना है तो गोवध भारतीय संस्कृति के अनुकूल नहीं आता। इसका आपको ध्यान रखना चाहिए। गो हत्या जारी रही तो देश में बगावत होगी। गोहत्या बन्दी भारतीय जनता का मैंडेट, लोक आज्ञा, है और प्रधान मंत्री महोदय को इसे मानना चाहिये"। हरिजन सेवक के २२ अगस्त १९५१ के अंक में श्री विनोबा लिखते हैं।

[सेठ गोविन्द दास]

"हिन्दुस्तान में गो रक्षा होनी चाहिये। अगर गो रक्षा नहीं होती तो कहना होगा कि हम ने अपनी आजादी खोई और इसकी सुगन्ध गंवाई। मैंने कुरान और बाइबिल का गहराई से और अत्यन्त प्रेम के साथ अध्ययन किया है। मैं मुसलमान और ईसाइयों की ओर से उनका प्रतिनिधि बन कर कहता हूं कि उन दोनों धर्मों में ऐसी कोई बात नहीं है कि गाय का बलिदान हो। मैं कहता हूं कि हमारी सैक्युलर स्टेट में गो रक्षा होनी चाहिये"।

अब सभापति जी, मैं आप से निवेदन करना चाहता हूं कि महात्मा गांधी को, राष्ट्रपति राजेन्द्रप्रसाद जी को, सन्त विनोबा भावे जी को, कोई भी रूढ़िवादी, या साम्प्रदायवादी नहीं कह सकता। इस सम्बन्ध में जब हमें ऐसे विशेषणों से विभूषित किया जाता है तो हम लोगों के साथ, और हम लोगों के साथ ही नहीं, अपितु राष्ट्रपति डाक्टर राजेन्द्र प्रसाद जी के साथ, सन्त विनोबा जी के साथ और स्वर्गीय महात्मा गांधी के साथ भी अन्याय किया जाता है।

**डा० एन० बी० खरे** (ग्वालियर) : यह अन्याय कौन करता है ? जरा मुझे बता दीजिये, मालूम नहीं है।

**सेठ गोविन्द दास** : अब प्रश्न यह है कि गोवध सर्वथा बन्द क्यों हो ?

Satara): On a point of order. It has been ruled that the name of the Rashtrapathi should not be brought in in any of the discussions.

**Mr. Chairman:** Is it the objection of the hon. Member that if the Rashtrapathi has made any speech or statement, it cannot be quoted?

**Shri Khardekar:** That was my point.

**Mr. Chairman:** I do not feel that I should disallow a quotation. There is no point of order.

**सेठ गोविन्द दास** : अब, सभापति जी, हम गोवध सर्वथा बन्द क्यों करना चाहते हैं, इस सम्बन्ध में आप के सामने कुछ बातें उपस्थित करता हूं। सब से पहले तो मैं आप के सम्मुख अपने संविधान की धारा ४८ उपस्थित करता हूं। यह धारा अनेक बार पढ़ी गयी है, लेकिन जब तक इस देश में गोवध जारी है, तब तक यह धारा सदा पढ़ी जायगी। इस धारा में यह कहा गया है :

"The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle."

इस धारा का बहुत बार ऐसा अर्थ लगाया जाता है जो यथार्थ में इसका अर्थ नहीं है। मैं यद्यपि आजकल यहां पर अपनी राष्ट्रभाषा और राज्यभाषा हिन्दी में बोलता हूं, पर गये ३० वर्षों से मैं इस सभा का सदस्य रहा हूं और पहले अंग्रेजी में ही बोलता था। मेरी अंग्रेजी कभी बुरी नहीं मानी गयी। अंग्रेजी में जानता हूं और मैं निवेदन करना चाहता हूं कि इस धारा के जो अन्तिम विशेषण हैं "अदर मिल्च एंड ड्राफ्ट कैटल" इन विशेषणों को काऊज और काव्ज के साथ नहीं लगाया जा सकता। क्यों नहीं लगाया जा सकता वह मैं आप को बताना चाहता हूं। पहले तो आप काव्ज शब्द को लीजिये। अब काव्ज न तो मिल्च ही होते और न ड्राफ्ट ही होते हैं। काव्ज शब्द के पहले काऊज शब्द आया है यानी "काऊज एंड काव्ज एंड अदर मिल्च एंड ड्राफ्ट कैटल"। अब आप यह देखिये कि "अदर मिल्च एंड ड्राफ्ट कैटल" विशेषण काव्ज के साथ नहीं लग सकते, तो फिर वह काऊज के साथ कैसे लग सकते हैं ? अगर इस संविधान का अभिप्राय केवल मिल्च और अदर ड्राफ्ट कैटल को ही बचाने का होता तो काऊज एं

काज्ज इन दोनों शब्दों को रखने की आवश्यकता ही नहीं थी। उस वक्त तो यह इस में लिखा जाता " take steps for preserving and improving the breeds and prohibiting the slaughter of milch and draught cattle." इतने ही में, "मिल्च एंड ड्राफ्ट कैटल" में ही गायें भी आ जातीं, बैल भी आ जाते, भैंस भी आ जातीं और भैंसे भी आ जाते। लेकिन इस में काऊज एंड काज्ज पहले लिखे गये और उसके बाद "अदर मिल्च एंड ड्राफ्ट कैटल" लिखा गया है। जो भाषा के विशेषज्ञ हैं, उन के सामने इस संविधान को रखा जाय और उन से पूछा जाय कि इस संविधान की धारा का अर्थ क्या होता है। मेरा निश्चित मत है कि यदि कोई विशेषज्ञ अपना निष्पक्ष निर्णय देंगे तो स्पष्ट रूप से यह निर्णय देंगे कि गायों और बछड़ों का तो वध तुरन्त बन्द होना चाहिये और उसके बाद जो दूसरे जानवर हैं, भैंसे हैं, और भैंसें हैं जो मिल्च एंड ड्राफ्ट कैटल में आते हैं उनका वध नहीं किया जाना चाहिये। जो हमारे दूध के या खेती के काम में आते हैं उन दूसरे जानवरों का वध नहीं किया जाना चाहिये। गायों और बछड़ों में यह विशेषण नहीं लगाए जा सकते। इस तरह का अर्थ लगाना, खींचातानी करना, हमारे संविधान के अर्थ का अनर्थ करना है।

फिर यह संविधान की धारा कौन बनीय इस सम्बन्ध में भी मैं कुछ कहूंगा। हमारी सरकार और संसार की सभी सरकारें विशेषज्ञों की राय के अनुसार चलती हैं। विशेषज्ञों की इस सम्बन्ध में पहले एक कमेटी मुक़र्रर हुई। उसका नाम है "कैटल प्रिजर्वेशन एंड डैवलैपमेंट कमेटी"। १९ नवम्बर सन् १९४७ को यह कमेटी नियुक्त हुई और यह कमेटी नियुक्त हुई हमारे कृषि मंत्रालय के एक प्रस्ताव के अनुसार। वह प्रस्ताव भी मैं आपके सामने पढ़ना चाहता हूं। प्रस्ताव यह है :

It has been brought to the notice of the Government of India that large numbers of cattle are annually slaughtered in this country for meat, that this slaughter is often indiscriminate, that it includes animals of all ages and qualities and that the slaughter results in short supplies of milk and work bullocks and in the depletion of the country's cattle wealth. There has been considerable agitation in the press, on the platform and on the floor of the Legislature in regard to this matter, and Government has been urged to take immediate steps to prohibit slaughter by legislation. As this is a complicated socio-religious subject the Government of India have, after careful consideration, decided to appoint an Expert Committee of officials and non-officials to consider the question in all its aspects and to recommend a comprehensive plan of action which can be put into immediate effect for preserving the cattle wealth of the country and for promoting its development.

इस प्रस्ताव पर यह कमेटी बनी। इस कमेटी ने क्या सिफारिश की वह भी मैं आप को बताना चाहता हूं।

**एक माननीय सदस्य** : कमेटी के मैम्बरान कौन थे ?

**सेठ गोविन्द दास** : मैम्बरान के नाम हैं :

सरदार बहादुरदातार सिंह, राय बहादुर पी० एन० नन्दा, श्री ऐच० बी० शाही, डा० जाल आर० कोठावाला, श्री हरदेव सहाय, राय बहादुर जे० एन० मनकर, सरदार बहादुर हरचन्द सिंह, गुरु प्रताप सिंह, श्री धर्मलाल सिंह, श्री सतीश [illegible] श्री महाबीरप्रसाद पोद्दार, श्री नाला सेनापति सरकारी, और सेठ गोविन्द दास।

अब उन्होंने जो सिफ़ारिश इस सम्बन्ध में की वह मैं आपके सामने रखता हूं :

"This Committee is of opinion that slaughter of cattle is not

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desirable in India under any circumstances whatsoever, and that its prohibition shall be enforced by law. The prosperity of India to a very large extent depends on her cattle and the soul of the country can feel satisfied only if cattle slaughter is banned completely."

फिर आगे चल कर इसने इस सम्बन्ध में और कहा :

"1. The first step which has to be given effect to immediately should cover the total prohibition of slaughter of all useful cattle other than as indicated below:—

(a) Animals over 14 years of age and unfit for work and breeding;

(b) Animals for any age permanently unable to work or breed owing to age injury or deformity.

2. Unlicensed and unauthorised slaughter of cattle should be prohibited immediately and it should be made a cognizable offence under law.

3. The law for prohibiting slaughter of cattle totally should be enforced as early as possible."

तो मैं यह निवेदन कर रहा था कि यह संविधान की ४८वीं धारा कुछ आप से आप आस्मान से नहीं टपकी । इस ४८वीं धारा के निर्माण के पहले एक विशेषज्ञों की कमेटी नियुक्त की गयी, उस कमेटी में कौन कौन थे, यह मैंने आपको पढ़ कर सुनाया । उस कमेटी की क्या सिफारिशें थीं, यह मैंने आप को बतलाया और उस कमेटी की राय के अनुसार संविधान की ४८वीं धारा बनायी गयी । फिर इसकी सिफारिशों के कुछ अंश को, पूरी को तो नहीं, सरकार ने स्वीकार भी किया और यह २४ मार्च सन् १९४९ को उस समय कृषि मंत्री श्री जयरामदास दौलतराम थे, उन्होंने यहां पर उस सम्बन्ध में क्या कहा था वह मैं आपके सामने रखता हूं । वह कहते हैं :

'The Hon'ble Shri Jairamdas Daulatram (Minister of Food and Agriculture): "During debate of demands for Food and Agriculture on the 19th March, 1949, the Hon'ble Member, Seth Govind Das referred to the question of improvement and welfare of cattle and the need of governmental action in regard to the question of slaughter of cattle. In the course of my reply I dealt with this matter and announced the interim decision of Government on the report of Cattle Protection and Preservation Committee. But as the discussion had to close at 5 P.M. my statement had to be very brief and I understand from the Hon'ble Member that it would be helpful if the decision of the Government was more clearly indicated."'

उसके बाद उन्होंने कैटल प्रीज़र्वेशन कमेटी की जो सिफ़ारिशें थीं जिन्हें मैंने अभी पढ़ा था वे पढ़ीं और उसके बाद उन्होंने यह कहा कि चौदह वर्ष की उम्र के नीचे के पशु न मारे जायं और उपयोगी पशु भी न मारे जायं । इस विषय में वह कहते हैं :

"As most of opinions received from the provinces are generally in favour of action suggested in the first two recommendations of the committee, Government have decided to accept those recommendations and will take early suitable action to have them implemented."

यह आश्वासन हम को २४ मार्च सन् १९४९ को मिला । उसके बाद पंचवर्षीय योजना की जो पहली आवृत्ति है, उसमें भी इस विषय पर प्रकाश डाला गया और वह क्या कहते हैं, वह मैं आप को बतलाता हूं :

"As the normal slaughter of cattle does not make any significant impression on the problem and the wholesale slaughter of useless

animals is not a practical proposition, some other remedy has to be thought out to meet the situation. One such remedy is the opening of large camps in areas where the fodder supply today is unutilised. The old and useless cattle are transferred to these camps through the *Pinjrapoles* and thus pressure on existing fodder supply is reduced. Suitable arrangements can be made at these camps for the utilisation of the manure of these cattle and, their hides, etc., after their natural death.

The problem of dry cows in cities is also important from the point of view of preservation of good cattle. It is observed that good milch cows are brought to the bigger cities like Bombay, Calcutta and when they get dry they are sent to slaughter houses."

यह सिफ़ारिश है पंचवर्षीय योजना की और अब इतनी दूर हम क्यों जायं, अभी हाल में हमारे जो कृषिमंत्री श्री किदवई हैं, उन्होंने सन् १९५२ में २४ दिसम्बर को पटना में जो कहा वह भी सुन लीजिये :

Mr. Rafi Ahmed Kidwai, India's Food Minister, said here today that when there was such an overwhelming sentiment in favour of prohibition of cow-slaughter, it must be respected because that was the way in which democracy functioned.

**डा० एन० बी० खरे** : इस सब के खिलाफ कौन है, यह तो बतलाइये ।

**सेठ गोविन्द दास** : यह जो कृषि मंत्री जी का हाल का कहना है, वह मैंने आपको बतलाया । फिर सरकार ने १६० गौसदनों के स्थापना की योजना बनायी । अगर सरकार पूरा गोवध इस देश में बन्द नहीं करना चाहती, तो गोसदनों की योजना न बना कर कसाई खानों की योजना बनानी चाहिए । हम लोग कहीं न कहीं किसी स्थान पर तो आयेंगे, या इसी प्रकार सारे मामले टटोलते रहेंगे । इसके लिए दो ही रास्ते हो सकते हैं । या तो जिस तरह से हमारी कैटिल प्रीजर्वेशन कमेटी ने कहा और उसके आधार पर हमारे संविधान की धारा बनी उसके अनुसार हम अमल करें । और हमारी पंचवर्षीय योजना में गोसदनों की बात कही गयी और रफ़ी अहमद किदवई साहब ने इस बात को कहा कि अगर हमें इस देश में प्रजातंत्र चलाना है, तो हमें लोगों के मत का ध्यान रखना होगा इसके अनुसार काम करें । बहादुरी की बात चाहे जितनी कह लीजिये कि हम बेकाम पशुओं को मार डालें, लेकिन यह बात इस देश में नहीं हो सकती अगर हम सब को मंजूर करते हैं और गोसदनों की योजना बनाते हैं, तो हम को गोसदनों की योजना बना कर इस गोवध को क़तई बन्द करना होगा, या फिर हम गोवध की बात और आगे बढ़ावें, क़साईखानों की स्थापना करें और जितनी गायें यहां पर हैं उनको काटने को तैयार हो जायं । दो में से एक रास्ता हमें चुनना होगा इन के अलावा और किसी दूसरे रास्ते पर हम चल नहीं सकते ।

एक बात और बार बार कही जाती है कि आर्थिक दृष्टि से इन गायों को रखना किसी प्रकार भी उचित नहीं है । यह दूसरी ग़लतफ़हमी है । आर्थिक दृष्टि से यह जो पशु बेकाम कहे जा रहे हैं, यह यथार्थ में बेकार हैं या नहीं, इस पर हमें विचार करना होगा । और इस विषय पर मैं आपके सामने बिहार सरकार की इस सम्बन्ध में एक रिपोर्ट है :

Tour of European Countries by Dharma Lal Singh, Secretary, Bihar State Goshala, Pinjrapole Federation, Patna.

दूसरी गोसंवर्धन अंक है उत्तरप्रदेश के पंचायती राज्य का और तीसरी यह पंचवर्षीय योजना है रखना चाहता हूं । इन सब में इस विषय पर बहुत कुछ कहा गया है । अगर मैं उस सब को यहां पर पढ़ने लगूं, तो शायद दो घंटे मुझे

[सेठ गोविन्द दास]

उस सब के पढ़ने में लग जायेंगे । इस लिए मैं उसका एक संक्षिप्त नोट जो मैंने बनाया है, उसे मैं सदन के सामने पढ़ देना चाहता हूं क्योंकि उसमें कुछ अंक दिये गये हैं और उन अंकों को मौखिक पढ़ना सम्भव नहीं है ।

अब आप देखिये कि इन सब प्रामाणिक ग्रंथों के आधार पर एक पशु पर कितना व्यय होता है ।

"सरकारी गोसम्वर्धन कौंसिल के अनुमान के अनुसार एक पशु को गो-सदन में रखने का आरम्भिक व्यय १५ रु० और प्रतिवर्ष १० रु० निगरानी इत्यादि पर व्यय आता है । यदि एक वृद्ध और अपंग पशु अधिक से अधिक ५ वर्ष जीवित रहे तो उस पर औसत खर्च १५ रु० प्रतिवर्ष होगा । इस पशु के मरने पर चमड़े हड्डी इत्यादि से यदि कम से कम ५ रु० आय हो तो १० रु० प्रति पशु प्रति वर्ष व्यय हुआ ।

भारत सरकार की वैज्ञानिक पत्रिका वेटर्नरी साइंस ऐंड ऐनिमल हस्बैन्डरी के मार्च १९४१ के प्रकाशित एक लेख में बताया गय है कि औसत गाय को स्वस्थ रखने के लिये ५ सेर नित्य या वर्ष में ३६ मन सूखा चारा चाहिये जिसका मूल्य अधिक से अधिक ३ रुपये प्रति मन के हिसाब से १०८ रुपये वार्षिक आता है । इस हिसाव में वह चारा जो पशु वर्षा के दिनों में या अन्य दिनों म गोचर भूमि यों में चरता है वह कम नहीं किया गया । सब खर्च लगा लिया गया है । तो अधिक से अधिक १०८ रुपये के चारे पर एक पशु जीवित रहता है ।"

"जैसा कि आय के हिसाब में बतलाया गया है एक पशु से १२५ रुपये वार्षिक आय होती है । वह आगे मैं आप को बतलाऊंगा । और गोसदन में रखने से १५ रुपये तथा घर में रखने से १०८ रुपये वार्षिक व्यय पड़ता है । इस हिसाब से गोसदन में रक्खाजाने वाला ११० रुपये वार्षिक और घर में रक्खा जाने वाला १८ रुपये वार्षिक लाभ देता है । यदि सरकार और जनता दोनों गोबर और गो मूत्र को ठीक ठीक उपयोग में लावें और मरे हुए पशु के चमड़े और हड्डी का ठीक ठीक उपयोग हो तो एक वृद्ध, अपंग, अनुपयोगी कहलाने वाला पशु भी हानिकारक नहीं लाभदायक है ।"

यह तो व्यय के हिसाब से हुआ, अब आय के हिसाब से देखिये ।

'पंचवर्षीय योजना के १८वें अध्याय के 'कृषि उन्नति की कुछ समस्यायें' के २३वें पैराग्राफ में लिखा है कि "१९५१ की पशुगणना के हिसाब से ८०० मिलियन टन या अनुमानत: २२ अरब ५० करोड़ मन गोबर वार्षिक होता है । इस में से आधा या सवा ग्यारह अरब मन खाद के काम और आधे के करीब जलाने के काम आता है । सिंदरी के कारखाने के ऐमोनियम सल्फेट का भाव जिसमें अनुमान २० प्रतिशत नाइट्रोजन होता है उसका मूल्य २८० रुपये टन है या १० रु० प्रति मन है । गोबर का खाद ऐमोनियम सल्फेट से निस्सन्देह अच्छी चीज है पर उस में नाइट्रोजन कम से कम २ प्रतिशत है इसहिसाब से

नाइट्रोजन के अनपात को देखते हुए गोबर १ रु० मन पड़ता है अर्थात् पंचवर्षीय योजना के लेखकों के अनुमान अनुसार जो गोबर खाद के काम आता है उसका मूल्य १२ अरब रुपये होता है। ईंधन के काम आने वाले गोबर का मूल्य खाद के काम आने वाले गोबर के बराबर नहीं पर कम से कम एक चौथाई के बराबर, ३ अरब रुपये अवश्य है। इस हिसाब से दोनों, खाद और जलाने वाले, प्रकार के गोबर का मूल्य १५ अरब रुपये से कम नहीं।"

सभापति महोदय, यह आपके पंचवर्षीय योजना के विशेषज्ञ स्वीकार करते हैं।

"इसी पैरे २३ में लिखा है कि गो मूत्र का अनुमान इस गोबर में नहीं लगाया गया।

१९५०–५१ की पशु संख्या, और पशु विशेषज्ञों के अनुमान के अनुसार सब पशु धन से साढ़े ६ अरब मन गो मूत्र मिलता है। इसमें से कम से कम २ अरब मन मूत्र खाद के काम और शेष व्यर्थ जाता है। गो मूत्र में नाइट्रोजन अधिक होता है फिर भी इस का कम से कम मूल्य ५ अरब रुपये होता है। गोबर और गो मूत्र दोनों से २० अरब रुपये आय होती है। देश में कुल (गोधन और भैंस धन) पशु धन १६ करोड़ है। इस हिसाब से प्रति पशु कम से कम २५ रुपये वार्षिक गोबर और गो मूत्र से मिलता है। इस हिसाब में गो मूत्र सम्मिलित नहीं जो काम में लाया जा सकता है पर व्यर्थ जाता है। ईंधन के स्थान पर जला दिए जाने वाले गोबर का मूल्य भी कम लगाया गया है।"

मैं आप के सामने यह सिद्ध करने का प्रयत्न कर रहा था कि जो यह कहा जाता है कि ये पशु बेकार हैं ये पशु आर्थिक दृष्टि से रखने के काम के नहीं हैं, यह बिल्कुल गलत बात है। पहले तो मैं आप से यह निवेदन करूंगा कि पशुओं में कोई बेकाम पशु हैं ही नहीं। फिर उनके ऊपर जो खर्च होता है और उन से जो आय होती है उसका हिसाब भी मैंने अभी प्रस्तुत किया। उससे यह स्पष्ट हो जाता है कि उन पर जो खर्च होता है वह उन से जो आय होती है उससे बहुत कम है।

एक और भ्रम इस सम्बन्ध में है कि जब आदमियों को ही खाना नहीं मिलता, अच्छे पशुओं के लिये ही चारा नहीं मिलता तो इन पशुओं के लिये खाना और चारा कहां से आयेगा? मैं आप से निवेदन करना चाहता हूं कि इस से ज्यादा गलत बात और कोई नहीं हो सकती। पहले तो जो बेकाम पशु कहे जाते हैं उनको हम दाना नहीं देते। वह पशु केवल चारा खायेंगे और वह चारा भी ऐसा चारा नहीं होगा जो कि काम के पशुओं को दिया जाता है। मैंने अनेक बार निवेदन किया है और फिर आज आप से कहना चाहता हूं कि आप इस देश में एक सिरे से दूसरे सिरे तक रेल में चले जाइये। आप को दोनों तरफ ऐसा चारा मिलेगा जो किसी काम में नहीं आता। जाड़े में शीत से जल जाता है, गरमी में गरमी से जल जाता है और बरसात में पानी से सड़ जाता है। यदि गोसदन स्थापित किये जायें तो इस चारे का पूरा उपयोग हो सकता है जो कि साधारणतः व्यर्थ जाता है। इसलिये जो यह बात बार बार कही जाती है कि जब आदमियों को खाना नहीं मिलता तो पशुओं के लिये कहां से आयेगा, जब अच्छे पशुओं को खाने को नहीं मिलता तो ऐसे पशुओं के लिये कहां से चारा आयेगा, यह बड़ी गलत बात है। दो हजार पशुओं के गोसदन पर कितना खर्च

[सेठ गोविन्द दास]

होता है इसके सरकारी अंक मेरे पास मौजूद हैं । १६० गोसदनों की योजना सरकार ने बनाई है और उसमें यह रखा गया है कि एक एक गोसदन में दो दो हजार पशु रक्खे जा सकते हैं । अब इन गोसदनों का जो नान रिकरिंग, यानी जो हमेशा न चलने वाला, खर्च है वह ५० हजार रु० होता है, और जो लगातार खर्च लगेगा वह होता है २०,००० रु० । जो सरकार अपनी दूसरी योजनाओं में करोड़ों रु० लगा सकती है, जिसने सिंदरी फैक्टरी में अभी करोड़ों रुपये लगाये, जिसने ट्रैक्टरों में इतना धन खर्च किया, वह सरकार क्या इस प्रकार के गोसदन नहीं बना सकती जिसमें कि केवल उतना धन खर्च करना पड़ेगा जितना कि मैंने अभी आप से निवेदन किया, और जहां पर पशु को रखने के बाद वे पशु हर दृष्टि से उपयोगी सिद्ध होंगे । इसलिये यह कहना कि इसके लिये धन नहीं है गलत है । इस के लिये इच्छा नहीं है, धन की कमी नहीं है । यदि इच्छा हो तो धन तो हम को पर्याप्त मात्रा में मिल सकता है ।

आर्थिक दृष्टि से यह पशु कभी भी हानिकारक नहीं हो सकते लेकिन अगर कुछ चीजें आर्थिक दृष्टि से हानिकारक हों भी तो क्या हमें उन्हें करना नहीं चाहिये ? जिस समय इस देश से अफीम चीन को जाती थी, उस वक्त क्या हम को उस से मुनाफा नहीं था, उस अफीम का चीन भेजना हम ने क्यों बंद किया ? अभी कुछ दिन हुए हमारी राज्य सरकारों को शराब से कितनी अधिक आमदनी थी, हमने उस शराब को बन्द क्यों किया ? अगर धन ही कमाना है तो सरकार और भी ऐसे काम कर सकती है जिससे धन कमाया जा सकता है और जो कि नैतिक दृष्टि से ठीक नहीं हैं । आज हमने अफीम का भेजना बन्द किया, हमने शराब को बन्द किया, हमने नमक कर को उठाया । नमक कर का उठाना आखिर लोगों को जो भावनायें थीं उन्हीं के अनुसार तो हुआ । अगर हम इस प्रजातंत्र को चलाना चाहते हैं तो क्या हम को लोगों की भावनाओं की तरफ ध्यान नहीं देना चाहिये । मैंने बार बार इस बात को कहा है कि आप इस देश में रिफरेन्डम लीजिये, आप इस सम्बन्ध में जनता में मतगणना कर लीजिये और देखिये कि लोगों का इस सम्बन्ध में क्या मत है, और मैं आगे बढ़ कर यह भी कहना चाहता हूं कि आर्थिक दृष्टि से यदि गोवध निषेध हानिकारक भी हो, हालांकि मैं इसे नहीं मानता, तो भी हमें लोगों की भावनाओं के अनुसार काम करना ही होगा " ।

इस विषय में मैं आपके सामने फिर महात्मा गांधी ने जो कुछ कहा वही रखना चाहता हूं । गांधी जी ने यह कहा : "बाजार में बिकने आने वाली तमाम गायें ज्यादा से ज्यादा कीमत देकर राज्य खरीदे । तमाम बूढ़े, लूले लंगड़े और रोगी ढोरों की रक्षा राज्य को करनी चाहिये" ।

**डा० एन० बा० खरे** : नेहरू जी क्या कहते हैं यह कहते क्यों डरते हो ।

**सेठ गोविन्द दास** : आप अधीर न होइये वह भी मैं आपको बतलाऊंगा । उसके पहले मैं अपना भाषण समाप्त करने वाला नहीं हूं ।

**Shri C. R. Narasimhan** (Krishnagiri): Mr. Chairman, on a point of order, Sir. Under what list do we find this subject, the Union List or the Concurrent List?

**Mr. Chairman**: What is the point of order?

**Shri C. R. Narasimhan**: Whether it is in the Union List or in the Concurrent List.

**सेठ गोविन्द दास** : सभापति जी, जब सन् १९४९ में मैंने यह विषय उपस्थित किया था

तो अनन्तशयनम जी ने अपनी रूलिंग दी थी। आपने उस समय इस विषय को उठाया था और कहा था :

"Sir, in regard to the question of whether the Bill is *ultra vires*, reference has been made to the Statement of Objects and Reasons. My humble submission is that the Statement of Objects and Reasons alone does not furnish the only basis for considering whether the Bill is *ultra vires* or *intra vires*. In fact, if we look to the body of the Bill, it seeks to create an offence of the nature which is to be found in the Indian Penal Code. Under the Penal Code, maiming or killing of certain animals of the value of Rs. 50 or more is a criminal offence and therefore, it is not free from doubt whether these entries which have been referred to by Dr. Ambedkar will apply to the case or not. These entries have special reference to provincial subjects I know, but at the same time if this Bill is considered to be one which creates an offence then my humble submission is that the Provincial as well as the Central Legislature have both got jurisdiction in regard to criminal matters. For instance, entry 1 of List II relates to such criminal offences and if those criminal offences are such as are included in the Indian Penal Code, then my humble submission is that it cannot be said absolutely that this is barred."

The Deputy-Speaker then said:

"The hon. Member wants the hon. Agriculture Minister to reinforce his argument. So far as this particular point is concerned, it has been ruled on more than one occasion. It is not open to the Chair to enter into this vexed question. As a matter of fact, I may refer to a decision reported on page 32 of the 'Decisions from the Chair':

During the discussion on the Multi-Unit Co-operative Societies Bill, Mr. K. C. Neogy raised a point of order as to the jurisdiction of the Legislative Assembly on subjects mentioned in the Federal and Provincial Legislative lists in the Government of India Act, 1935, whereupon the President observed:

'.....A point of order, generally speaking, related to matters which concern the proper conduct of the proceedings of the House. The question whether the Assembly is competent to entertain a certain proposal for legislation is of great importance, and in my opinion, it is for the House to come to a conclusion on that point, as well as other points submitted to the House on the question whether the Bill should be passed or not.'"

Certainly it is for the House to take into consideration the objections that have been raised that it is not competent for the House to consider a legislation of this kind.

**An Hon. Member:** Why is this ruling read *in extenso*?

**Shri S. V. Ramaswamy** (Salem): When a point of order is raised the ruling has to be given by the Chair and not by the hon. Member.

**Mr. Chairman:** I have allowed the hon. Member in charge of the Bill to say what he has to say on this point of order. It is not that the Chair does not give any ruling. But, at the same time it is open to the Chair to hear any other member and especially the Member in charge of the Bill to say what he has to say in regard to this point of order.

**Shri S. V. Ramaswamy:** Sir, may I know.....

**Mr. Chairman:** Does the hon. Member want to supplement the point of order?

**Shri S. V. Ramaswamy:** What is the specific point of order?

**Mr. Chairman:** A specific point of order has been raised and it is being replied to. If he wants to raise any other point of order I shall certainly allow him. I do not want that the point of order should be supplemented by him.

सेठ गोविन्द दास : तो क्या मैं इसे और पढ़ूं

"Therefore, if the House is willing, it may accept the present Bill; otherwise it may throw it out. It is for the courts to decide whether this legislature is competent or not competent. I am not in a position to say at this stage that he is out of order. It is for the hon. Member to take whatever decision he thinks fit, having regard to the point of order raised, and if it ultimately turns out that it is a futile piece of legislation that has been passed by this House, he will take the consequences. It is for him to decide."

मैं ने फिर कहा :

"I am not willing to withdraw the Bill and I shall now make my speech."

डिप्टी स्पीकर ने फिर कहा :

"I am not asking the hon. Member to withdraw the Bill. There is absolutely no such suggestion from the Chair. It is for him to do what he likes."

और इस के बाद मैं ने अपना भाषण दिया ।

**Shri S. V. Ramaswamy** *rose*—

**Mr. Chairman:** I do not want to hear the hon. Member unless he is going to raise a new point of order.

**Shri S. V. Ramaswamy:** Yes, Sir, a new point of order.

**Mr. Chairman:** Yes, he can. But before he raises a second point of order let me dispose of the first point of order because according to the rules, two points of order cannot be raised at one and the same time. The first point of order has to be disposed of. I have heard the hon. Member who moved the Bill. Was this the Bill or was it some other Bill?

सेठ गोविन्द दास : बिल्कुल यही बिल था ।

**Mr. Chairman:** This was the very Bill on which a point of order was raised. At that time the Deputy Speaker who was then presiding gave a decision on the point of order and that decision has been read out to the House. That decision was that the Chair did not want to take the responsibility of deciding it finally so much so he left it to the decision of the House. I do not feel justified in upsetting the previous decision. I therefore submit that so far as this question concerned, the previous decision of the Deputy Speaker stands and the House would proceed to the discussion of the Bill.

सेठ गोविन्द दास : धन्यवाद । मैं ने अभी आप के सामने कुछ उन बातों को रखा कि जिन बातों के आधार पर मैं.....

**Shri S. V. Ramaswamy:** Sir, item 15 of List II...

**Mr. Chairman:** I may just request the hon. Member to raise his point of order and not to read anything. The rule regarding points of order is that the point of order must be shortly stated. What is the point?

**Shri S. V. Ramaswamy:** Sir, this subject of cow protection or preservation falls specifically under item 15 of List II, the State list. I am asking, Sir, in view of this list, whether this Bill will fall under this list or in the Union list.

**Mr. Chairman:** This is exactly the point of order that was raised by the hon. Member previously and this was the point of order raised by Dr. Ambedkar at that time. The hon. Member should first of all hear what the other hon. Member said before raising his point of order. This point of order is exactly the same. Therefore, it does not arise.

सेठ गोविन्द दास : सभापति जी, अब तक मैं ने आप के सामने यह रखा कि इस देश में सम्पूर्ण गोवध क्यों बन्द होना चाहिए। अब इस के बाद मैं आप के सामने उस विषय को उपस्थित करना चाहता हूं कि जिस से

उपयोगी पशुओं का सम्बन्ध है । और मैं आप से निवेदन करना चाहता हूं कि ज तक उपयोगी पशुओं के कत्ल बन्द करने का विषय है उस में कोई मतभेद नहीं हो सकता । तब प्रश्न उठता है कि क्या उपयोगी पशुओं का वध रुका हुआ है । मेरा दावा है कि आज सब से अधिक उपयोगी पशुओं का ही वध होता है और जब मैं यह कहता हूं तो मैं अपने व्यक्तिगत अनुभव के आधार पर यह बात कहता हूं । आप बम्बई के कसाई-खाने को जा कर देखिये, आप कलकत्ते के कसाई खाने को जा कर देखिये, आप मद्रास के कसाई खाने को जा कर देखिये और देखिये कि वहां पर उपयोगी पशु मारे जाते हैं या अनुपयोगी पशु मारे जाते हैं । इन उपयोगी पशुओं का वध भी, बिना गोवध क़तई बन्द किये रुक नहीं सकता । सरकार ने इस का बहुत प्रयत्न किया । उपयोगी पशुओं के वध को रोकने का प्रश्न आज ही नहीं उठा है । सरकार ने इस के कई प्रयत्न किये हैं लेकिन उन प्रयत्नों का कोई नतीजा नहीं निकल सका । सब से पहला प्रयत्न इस सम्बन्ध में हुआ था तारीख ११ जुलाई सन् १९४४ को, जब कि स्वराज्य की स्थापना नहीं हुई थी । उस वक्त सरकार ने, उस समय की अंग्रेजी सरकार ने, एक आज्ञापत्र जारी किया था कि दस साल के नीचे की उम्र के पशु न मारे जायें । वह आज्ञापत्र इस प्रकार था :

"I am directed to say that the present cattle shortage has been causing considerable anxiety to the Government of India for some time past. This shortage is probably due to the increased demand for cattle for cultivation, transport, milk and meat. It is considered that one of the ways of dealing with the problem is to prevent as far as practicable the slaughter of useful cattle, particularly such animals as are used as or likely to be used as working cattle, and those which are suitable for bearing offspring.

2. It has accordingly been decided in respect of the slaughter of cattle by the army authorities that:

(a) the slaughter or sale for slaughter of the following classes of cattle will be prohibited:

(i) cattle below 3 years of age,

(ii) male cattle between 3 and 10 years of age which are used or likely to be used as working cattle,

(iii) all cows between 3 and 10 years of age which are capable of producing milk, other than cows which are unsuitable for bearing offspring and

(iv) all cows which are pregnant or in milk."

१९४४ में सरकार ने इस आज्ञा को जारी किया था । इसका कोई फल नहीं निकला । इसका क्या नतीजा हुआ, उस सम्बन्ध में बरमा में क्या हुआ यह मैं आप को बताना चाहता हूं, क्योंकि बरमा उस समय भारतवर्ष का एक हिस्सा था ।

"With the aim of restricting the slaughter of useful cattle as much as possible Government promulgated last year an order under the Defence of Burma Rules confining slaughter to special categories. It is, however regretted that no perceptible improvement in the cattle population has been observed due to these restrictions. It is known to Government that useful cattle and even calves are surreptitiously slaughtered for meat and hide purposes."

बरमा सरकार के अतिरिक्त हमारे यहां दूसरे प्रान्तों में भी इस का कोई नतीजा नहीं निकला । इस के बाद डिफ़ेंस आफ़ इंडिया रूल्स समाप्त होते ही यह आर्डर भी खत्म हो गया । उस के उपरान्त स्वराज्य की प्राप्ति के बाद सन् १९४७ में नवम्बर में जो कैटल प्रिज़र्वेशन कमेटी बनाई गयी,

[सेठ गोविन्द दास]

उस ने जो कुछ कहा वह मैं आप के सामने अभी पढ़ चुका हूं। उस पर श्री जयरामदास दौलतराम जी ने जो कुछ कहा वह भी मैं आप को बतला चुका हूं। अब देखने की बात यह है कि जयरामदास जी की उस घोषणा के बाद, जिस घोषणा के अनुसार कि १४ वर्ष की उम्र के नीचे के पशु का वध रुकना चाहिये था, कहां कहां पर क्या हुआ ? मद्रास, त्रावणकोर कोचीन, उड़ीसा, बिहार, उत्तर प्रदेश और दिल्ली में कुछ भी नहीं हुआ। आसाम में क़ानून बना, पर लागू नहीं किया गया। सन् १९५० में बम्बई, बंगाल और हैदराबाद में क़ानून बने, पर दो साल यों ही रहे, लागू नहीं हुए, सन् १९५२ तक। और जब लागू हुए तब भी क्या हुआ वह सुनिए। पूरे प्रान्त में वह क़ानून लागू नहीं किये गये। बम्बई और बंगाल में चौदह चौदह म्यूनिसिपल बोर्डों में और हैदराबाद में २२ में, लागू किये गये। अर्थात् इन के बाहर, बम्बई में १४ म्यूनिसिपल बोर्डों के बाहर, बंगाल में १४ म्यूनिसिपल बोर्डों के बाहर और हैदराबाद में २२ म्यूनिसिपल बोर्डों के बाहर क़त्ल हो सकता है। बंगाल में फिर १५ मार्च सन् १९५२ को कसाइयों के आन्दोलन पर यह रोक दिया गया, फिर १ फरवरी को लगाया गया। फिर क्योंकि इन क्षेत्रों के बाहर गोवध हो सकता था इसलिये क़ानून की मंशा पूरी नहीं हुई। केवल हमारे प्रान्त में ही वह क़ानून बना जिस के द्वारा गोवध बन्द किया गया। अब जहां गोवध पहले बन्द था औ हमारे यहां जो बाद में यह गोवध बन्द किया गया वहां पर एक गश्ती चिट्ठी पहुंच गयी भारत सरकार की ओर से। उस गश्ती चिट्ठी में क्या लिखा गया ?

**श्री झुनझुनवाला** (भागलपुर मध्य) : आप का कौन से प्रान्त से मतलब है ?

**सेठ गोविन्द दास** : मध्य प्रदेश की बात मैं कह रहा था। एकमात्र केवल मध्यप्रदेश है, सारे देश में, कि जहां स्वराज्य के बाद गोवध बन्द किया गया। कुछ प्रान्तों में यह गोवध पहले से बन्द था। अब जिन प्रान्तों में यह पहले से बन्द था और जहां मध्य प्रदेश में यह बाद में बन्द किया गया वहां यह गश्ती चिट्ठी पहुंची। २० दिसम्बर सन् १९५० को यह गश्ती चिट्ठी भारत सरकार की ओर से गयी :

"I am directed to say that it has come to the notice of the Government of India that some States have imposed a complete ban on slaughter of cattle; some other are contemplating imposing a similar ban. In this connection it is necessary to consider both the legal aspect of the matter. So far as the legal aspect of the matter is concerned, it appears that some States are under the impression that the spirit of the Constitution is to stop the slaughter of cattle completely. It will not be out of place to mention that Article 48 in part IV of the Constitution relating to the directive principles of State policy, reads as under:—"

इस सम्बन्ध में मैं आप को बतला चुका हूं कि संविधान की उस धारा का मेरे अनुसार भी यही मतलब है। काऊज और काव्ज, गायें और बछड़ों के सम्बन्ध में उस धारा का स्पष्ट मत है। वह मैं ने आप के सामने पढ़ कर बतला दिया। अब आगे है :

"It is clear from the above Article that what is really intended is not a total prohibition of all cattle".

यहां मैं सहमत हूं, "आल कैटल नहीं, बट प्राहीबीशन आफ़ मिल्च कैटल"।

अब देखिये कि यह जो गश्ती चिट्ठी गयी वह भी कैसी विचित्र चिट्ठी है

"It is clear from the above Article that what is really intended is

not a total prohibition of all cattle slaughter but prohibition of slaughter cow, and calves and other milch and draught cattle only."

ठीक है "बट प्राहीबीशन आफ़ स्लाटर काऊज़ एंड काव्ज़ एंड अदर मिल्च एंड ड्राफ्ट कैटल" । ठीक है, जो गश्ती चिट्ठी जाती है उस का भी यही मतलब है जो मैं ने संविधान की धारा का बतलाया कि जहां तक काऊज़ और काव्ज़ का सवाल है वहां तक टोटल प्राहीबीशन होना चाहिये और जहां तक दूसरे जानवरों का सवाल है वहां मिल्च एंड ड्राफ्ट कैटल का वध बन्द होना चाहिये ।

अब आगे देखिये कि इस गश्ती चिट्ठी में क्या लिखा है :

"Regarding the economic aspects of the matter, a complete ban on the slaughter of cattle would appear to be wasteful."

इस का उत्तर भी मैं आप को दे चुका हूं और यह आप के सामने सिद्ध कर चुका हूं कि यह प्रश्न आर्थिक हानि का प्रश्न नहीं है ।

फिर जो असली बात है, जिस से बिल्ली थैले में से निकल आती है वह मैं आप को बतलाना चाहता हूं :

"From the export point of view also, the problem has considerable significance. Hides from slaughtered cattle are much superior to hides from fallen cattle and fetch a higher price. In the absence of slaughter, the best type of hide which fetches good price in the export markets should no longer be available.

In view of what is stated above, the Government of India hope that the adverse effects of a total ban on the slaughter of cattle will be realised by the States and in the larger economic and other interests of the country no legal restriction on the slaughter of useless and unproductive cattle will be imposed".



5 P.M.

इस के आगे फिर देखिये :

The States which have already passed legislation totally banning slaughter are accordingly requested to take early steps to reconsider it.

सौभाग्य की बात है कि इस सर्कुलर के जाने के बाद भी मेरे प्रान्त में इस सम्बन्ध में कुछ नहीं किया गया .....

**Mr. Chairman:** Has the circular not been withdrawn?

**सेठ गोविन्द दास** : मैं नहीं जानता कि वह सर्कुलर विदड्रा किया गया है या नहीं, लेकिन जहां तक मुझे मालूम है, कौंसिल आफ़ स्टेट में हाल ही में इस सम्बन्ध में एक प्रश्न पूछा गया था और उस समय हमारे कृषि मंत्री जी ने फिर इसी सर्कुलर लेटर का हवाला दिया था जिस का अर्थ यह होता है कि अभी तक विदड्रा नहीं किया गया है । बीस दिसम्बर सन् ५० का पत्र और २४ दिसम्बर सन् ५२ को कृषि मंत्री महोदय ने जो पटना में घोषणा की वह मैं ने पढ़ी । हाल ही में कौंसिल आफ़ स्टेट में जो कुछ कहा गया वह भी मैं ने बताया चूंकि इस समय सौभाग्य से श्री क़िदवई यहां आ गये हैं, इसलिए मैं उन की घोषणा को फिर पढ़े देता हूं :

Mr. Kidwai: India's Food Minister said here today that when there was such a overwhelming sentiment in favour of prohibition of cow-slaughter, it must be respected, because that was the way in which democracy functioned.

अगर वह कह दें कि उन्हों ने उस गश्ती चिट्ठी को विदड्रा कर दिया ....

**Mr. Chairman:** It was said in this House some time back that this circular has been withdrawn by the Food and Agriculture Ministry.

**The Minister of Food and Agriculture (Shri Kidwai):** I was not aware of the existence of this circular: I am very glad to hear that it has been withdrawn.

**Mr. Chairman:** It was stated by the predecessor of the hon. Minister that it had been withdrawn.

**Shri Kidwai:** I do not remember whatever has been said. If my predecessor had said that it had been withdrawn, it should be considered as having been withdrawn.

**सेठ गोविन्द दास** : बहुत खुशी की बात है । अतः अभी कौंसिल आफ़ स्टेट में एक प्रश्न का जवाब देते हुए कृषि मंत्री जी ने जो कहा है कि वह भी विदड्रा हो गया, ऐसा समझ लेना चाहिये और मैं उन को इस के लिये हृदय से धन्यवाद देता हूं ।

**Mr. Chairman:** In the Council of States all that was done was a reply to an Unstarred Question which was placed on the Table.

**सेठ गोविन्द दास** : अभी कौंसिल आफ़ स्टेट में इस सम्बन्ध में जो प्रश्न पूछा गया था उस के उत्तर म श्री किदवई ने इसी सर्कुलर को वहां पर बतलाया था या नहीं बतलाया था ?

**Shri Kidwai:** I was not there when this question was put and answered. Everything done in the Ministry is done under the orders of the Minister.

**सेठ गोविन्द दास** : मैं यह जानना चाहता था सभापति महोदय, कि उन के डिप्टी मिनिस्टर साहब क्या कहते हैं यह उन को भी नहीं मालूम ?

**Shri V. G. Deshpande** (Guna): But what is the policy of the Central Government now?

**सेठ गोविन्द दास** : यह जो सर्कुलर भेजा गया था, वह अभी भी मौजूद है या वह उठा लिया गया है ?

**Mr. Chairman:** The hon. Member may ask a direct question and the hon. Minister will give a reply.

**सेठ गोविन्द दास** : तो मैं कृषि मंत्री जी से पूछना चाहता हूं कि २० दिसम्बर को जो गश्ती पत्र गया, अब उस पत्र की क्या स्थिति है? वे कुछ उत्तर ही नहीं दे रहे हैं मुझे बड़ा दुःख है कि शायद क़िदवई साहब भी यह नहीं जानते कि वह पत्र मन्सूख हुआ या नहीं ।

**श्री श्यामनन्दन सहाय** (मुजफ्फरपुर-मध्य) : पता लगायेंगे ।

**सेठ गोविन्द दास** : तो हम ने यह देखा कि सरकार ने इस बात का लाख प्रयत्न किया कि उपयोगी जानवर न मारे जायें, पर वे सब प्रयत्न निष्फल हुए और आज भी उपयोगी जानवरों का वध हो रहा है, अब यह मामला सभापति जी, और आगे बढ़ गया है, अब क़साईखानों में ही वध नहीं होता, बल्कि घरों में भी वध होने लगा है । इस के सम्बन्ध में समय समय पर समाचार-पत्रों में कई खबरें छपती हैं और इस संबंध में कितने ही मुक़दमे चलते हैं और लोगों को सजाएं होती हैं । मैं आप को उन स्थानों के नाम बता देना चाहता हूं, जहां इस प्रकार की कार्रवाई हुई है जो अखबारों में छपी है, जहां मुक़दमे चले हैं और जहां लोगों को सजाएं हुई हैं और जहां आज भी मुक़दमे चल रहे हैं । वह जगहें हैं बिजनौर, नगीना, हरिद्वार, टोंक, मुरादाबाद, अल्मोड़ा, बुलन्दशहर, मथुरा, आगरा, मेरठ, हरदोई, सहारनपुर, गुड़गांव और जींद । आप आज्ञा दें तो मैं इन जगहों के हाल पढ़ कर भी सुनाऊं ।

**Mr. Chairman:** The hon. Member has indicated in what places it is taking place. The proceedings of the cases need not be read out here.

सेठ गोविन्द दास : फिर बम्बई और कलकत्ते में इस सम्बन्ध में क्या हो रहा है, वह मैं आप को बतलाना चाहता हूं । सब से ज्यादा गोवध यदि कहीं हो रहा है, तो वह बम्बई, कलकत्ते, मद्रास आदि में हो रहा है । बम्बई में अभी हाल ही में श्री मुरार जी देसाई से एक शिष्ट मंडल मिला था और इस शिष्टमंडल में आप को यह सुन कर खुशी होगी कि क़साई भी गये थे । उस शिष्ट-मंडल का थोड़ा सा हाल बतला दूं :

"A deputation of representatives of Bombay Humanitarian League, Cattle Butchers' Association of Bandra, Kurla and butchers of Baroda, led by Shri J. M. Manekar, waited upon the Chief Minister, Shri Morarji Desai and Shri Hiray, Minister for Revenue Agriculture and Forests on the 7th and 8th October 1952 respectively in connection with the question of unlawful slaughter going on on a large scale in Bombay and other towns of the State. The deputationists submitted that under the existing municipal law any slaughter of cattle done outside the licensed slaughter house is an offence. Similarly under the Bombay State Animal Preservation Act of 1948, slaughter of cattle without certificate of a veterinary officer, especially appointed for the purpose is considered to be unauthorised slaughter. In spite of this at many places in the City of Bombay, especially in Sankli Street, Madanpura, Mirza St., Umarkhadi, Kambedkar Street and elsewhere, slaughter of useful milch cattle and agricultural cattle and young calves is being done in private houses during night. Several complaints were made to the municipal authorities as well as to the police to stop these unlicensed and unauthorised slaughter. Yet, either for want of sufficient powers or due to indifference the crimes are ever on the increase."

यह बम्बई का हाल है । अब कलकत्ते का हाल सुनिये । कलकत्ता कार्पोरेशन की १३ फ़रवरी, १९५३ की मीटिंग में श्री तुलसीराम सरावगी ने कहा :

"The problem of illicit slaughtering is yet to be solved. What is happening is that round about Calcutta cows are slaughtered and the meat is surreptitiously supplied to the market; otherwise how to account for the fact that although cow slaughter is on the decrease at the Corporation slaughter house at Tangra, there is no decline at all in beef supply? When this aspect of the matter was brought to the notice of the Commissioner and the Deputy Mayor they took prompt action with the result that a lorry-load of beef which came from an unauthorized source and which was the product of illicit slaughtering somewhere outside Calcutta, was seized at the entrance to the Hogg Market as it was about to be smuggled in and our Health Officer, Dr. J. P. Chaudhury, helped in this seizure. But this incident is a pointer to what is happening behind the scenes and I shall not be surprised to learn that this sort of traffic in the flesh of cattle illicitly slaughtered outside Calcutta is widespread in this city."

मैं ने आप को यह बताने का प्रयत्न किया कि केवल उपयोगी पशुओं का वध कसाईखानों में किया जाता है, इतना ही नहीं, लेकिन यह वध अनेक शहरों में, मैं ने आप को पढ कर सुनाया, बढ़ रहा है । बम्बई और कलकत्ते में यह कितनी दूर तक हो रहा है, यह मैं ने आप से अभी निवेदन किया । अब उपयोगी पशुओं के वध का प्रधान कारण क्या है । यह मैं आप को केवल दो वाक्यों में कहना चाहता हूं इस के सम्बन्ध में । इस का प्रधान कारण है मांस का निर्यात और चमड़े का निर्यात । मांस के निर्यात के तीन बन्दरों के आंकड़े मेरे पास हैं । यहां २२ बन्दर अर्थात् सी-पोर्ट्स हैं । इस देश के २२ बन्दरों से कितना मांस बाहर जाता है इस

[सेठ गोविन्द दास]

के आंकड़े मेरे पास नहीं हैं क्योंकि वह मुझे मिल नहीं सके, लेकिन जिन तीन बन्दरों के आंकड़े मिले वे मैं आप के सामने रखना चाहता हूं। यह तीन बन्दर हैं बम्बई, कलकत्ता और मद्रास। इन के आंकड़े हैं :

बम्बई से ३१,६९,९६६ रु० का गो मांस १ जुलाई, १९५२ से ३० जून, १९५३ तक देश के बाहर गया।

कलकत्ते से २१,६९,३४७ रु० का गो मांस बाहर गया।

मद्रास से २,९९,१३९ रु० का गो मांस बाहर गया।

कुल मिला कर ५६,३८,४५२ रु० का गो मांस बाहर गया।

**Shri V. P. Nayar** (Chirayinkil): Will the hon. Member kindly give at least the figures in English? We are not able to follow the figures.

**Shri Govind Das:**

| | |
|---|---|
| Bombay | Rs. 31,69,966 |
| Calcutta | Rs. 21,69,347 |
| Madras | Rs. 2,99,139 |
| Total | Rs. 56,38,452 |

एक वर्ष में केवल तीन बन्दरों से यह गो मांस बाहर गया है। श्री करमरकर को मैं ने यह आंकड़े दिये थे। उन को इन आंकड़ों को देख कर आश्चर्य हुआ और उन्हों ने मुझ से कहा कि वे इस का पता लगा रहे हैं कि आखिर क्या बात है। लेकिन कई महीने तक प्रतीक्षा करने पर भी अब तक इस का कोई पता नहीं लगा। यह तो मैं ने मांस के निर्यात के सम्बन्ध में आंकड़े आप के सामने रक्खे जो मांस का निर्यात हमारे देश के २२ बंदरों में से केवल तीन बंदरों से हुआ। मैं आप से निवेदन करना चाहता हूं कि बिना अच्छे पशुओं को मारे अच्छा मांस नहीं मिल सकता, और अच्छा मांस ही बाहर जा रहा है, इस लिये प्रधानतया अच्छे पशु यहां पर मारे जा रहे हैं।

फिर चमड़ा भी बाहर जा रहा है। इस के बारे में भी मैं आप को बतलाऊं कि १० वर्ष के पहले कितना चमड़ा बाहर जाता था और आज कितना चमड़ा बाहर जाने लगा है। इस के लिये यह कहा जायेगा कि चमड़ा जो बाहर जा रहा है वह बेकाम पशुओं का होगा। पहले मैं आप से यह निवेदन कर दूं कि जिस प्रकार बेकाम पशुओं का मांस अच्छा नहीं होता उसी प्रकार बेकाम पशुओं का चमड़ा भी अच्छा नहीं होता। और अभी जो मैं ने आप के सामने पंच वर्षीय योजना और दूसरी चीजें पढ़ीं, उससे भी आप को पता लगेगा कि अच्छे चमड़े से हम को अधिक दाम मिलें इस लिये हम अधिकतर अच्छे जानवर मारते हैं। खैर, आप बड़े जानवरों को छोड़ दीजिये, आप बछड़ों को लीजिये। बछड़ों के लिये तो यह नहीं कहा जा सकता कि वे बेकाम हैं और मारे जायें। १९४२-४३ में केवल ढाई लाख खालें इस देश से बछड़ों की बाहर गईं, १९४६-४७ में जब स्वराज्य हुआ उस वक्त १ लाख २० हजार खालें बाहर गईं। यह जो आंकड़े मैं आप को दे रहा हूं यह "ऐग्रिकल्चरल मार्केटिंग इन इंडिया" और "फारेन ऐंड एअर नैविगेशन" नामी पुस्तकों से दे रहा हूं। अब आप देखिये कि १९४२-४३ में ढाई लाख, १९४६-४७ में १ लाख २० हजार और १९५२-५३ में २० लाख १८ हजार बछड़ों की खालें इस देश से बाहर गईं। यह आंकड़े मैं अपनी तरफ से नहीं दे रहा हूं, आप के सामने यह पुस्तकें हैं और मैं कहना

चाहता हूं कि कोई भी व्यक्ति सरकार के मुहकमे का इन पुस्तकों को देखे और बतलाये कि यह सही है या नहीं कि १९४२-४३ में ढाई लाख खालें बाहर गईं, १९४६-४७ में १ लाख २० हजार खालें और १९५२-५३ में २० लाख १८ हजार खालें गईं।

फिर जो गायों का चमड़ा यहां से सन् १९५२-५३ में बाहर गया है वह भी देख लिया जाय। वह भी कम नहीं है। कुल गायों का चमड़ा गया है ४६ लाख, ९६ हजार और १७३ और इस की कीमत हुई ७,५६,०९,१७३ रु०। यह कुल गाय का चमड़ा है, बछड़ों के चमड़े इस से अलग हैं।

यथार्थ में जो हमारे यहां उपयोगी पशुओं का वध होता है, वह इसलिये होता है कि हम गो मांस का निर्यात करते हैं, हम चमड़े का निर्यात करते हैं और इस के लिये उपयोगी पशु ही काम में आ सकते हैं। जो पशु बेकार हो जाते हैं वह काम में नहीं आते। अतः सभापति महोदय, मेरी दृष्टि से गोवध कतई बन्द हुए बिना यह प्रश्न हल नहीं होगा।

बार बार एक बात और कही जाती है कि गाय इस देश में निकम्मी क्यों है जब कि अन्य देशों में अच्छी है। जो अन्य देश गो-भक्षक हैं वहां पर तो गायें बहुत अच्छी हैं। और हमारे यहां निकम्मी हैं। हमारे देश में गाय के निकम्मी होने का पहला कारण तो यहां पर अंगरेजी राज्य का रहना था। अंगरेजों ने गाय की तरफ़ ध्यान नहीं दिया। अंगरेजों ने खेती की तरफ़ ध्यान नहीं दिया और इसी कारण से यहां पर गाय की उन्नति नहीं हुई। खेती की उन्नति नहीं हुई। दूसरा कारण गायों के अच्छी न होने का यह है कि अच्छी गाय को कत्ल कर दिया जाता है, जब अच्छी गायें कत्ल की जायेंगी तो बुरी अच्छी बनाने के लिये कितना खर्च कर रहे हैं, यह भी आप देखिये। हम दो पैसा प्रति वर्ष प्रति पशु खर्च करते हैं, और मैं आप को इंग्लैण्ड का उदाहरण दूंगा कि वहां पर कितना खर्च किया जाता था। वहां पर ५ रु० खर्च किया जाता था। इंग्लैंड में जो कुछ किया गया था वह भी मैं आप को बतलाता हूं।

> "Every popular sovereign State acknowledges its obligations as a social organisation. It gives its best attention to provide for its people foods 'high in value', first among which is milk....."

**Shri Bhagwat Jha Azad** (Purnea *cum* Santal Parganas): May we know how many hours more the hon. Member will take, Sir?

**Mr. Chairman:** So far as the question of time on such Bills is concerned, the rule is that there is no time-limit. But at the same time I would request the hon. Member not to be so long. On the first day he took about half an hour, and today he has taken about an hour and ten minutes already. I will request him to give some time to other Members. He will realise that on the order paper today there is a motion by the Deputy-Speaker about the report of the Committee on Private Members' Bills which places a limit of four hours on all the stages of the Bill. I would therefore request him to have some proportion of time in his mind.

**सेठ गोविन्द दास** : सभापति जी, मुझे तो इस विधेयपर अभी भी बहुत कुछ कहना था, लेकिन चूंकि आप की आज्ञा है इस लिये मैं बहुत जल्दी खत्म करूंगा।

**Shri Kidwai:** I think he may be allowed to have the full four hours and explain every aspect of it.

सेठ गोविन्द दास : मैं तो बहुत कुछ कहना चाहता था क्योंकि यह तो मेरे जीवन भर का प्रश्न रहा है ।

**An Hon. Member:** Can the time be extended?

**Shri Kidwai:** The time cannot be extended.

**Shri V. P. Nayar:** Some of us also would like to participate in this debate.

**सेठ गोविन्द दास** : मैं बहुत जल्दी खत्म कर रहा हूं ।

**Mr. Chairman:** More than one Member has raised this point. And it is but fair that other Members should expect that they may also get some time to speak.

**सेठ गोविन्द दास** : मैं बहुत जल्दी खत्म कर रहा हूं ।

"Since Britishers rule India, Britain is mainly responsible to increase the number and improve the quality of her cattle and milk. Let us see what they have done for their own country."

Cattle Industry subsidised—1932 to 1938:

उस में उन्होंने १,८५,९४,५८४ पाउंड खर्च किये शुरू में और फिर वह खर्च बढ़ते बढ़ते २,९४,६९,०५५ पाउंड तक पहुंचा यानी आठ बरस में उन्हों ने इतना खर्च किया जिस का मतलब यह होता है कि ४० करोड़ रुपया खर्च किया । आप देखें कि हम अपनी अन्य योजनाओं पर तो लाखों और करोड़ों रुपया खर्च कर रहे हैं लेकिन इस पर हम कुछ खर्च करने को तैयार नहीं हैं । तो जब अच्छी गायें मार डाली जायेंगी तो बुरी तो बचेंगी ही । जब हम उन पर कुछ खर्च नहीं करेंगे तो उन की उन्नति कैसे हो सकती है । यह कहना कि मोमबत्ती देशों में तो अच्छी गायें हैं और हमारे यहां बुरी गायें हैं यह दलील गोवध करते रहने के लिए कोई ठीक दलील नहीं है ।

फिर जो चीजें कि गाय से उत्पादित चीजों को खराब करने वाली हैं उन को आप जारी रखना चाहते हैं । सभापति जी, इतनी बार आप ने यहां पर वनस्पति के लिए विधेयक उपस्थित करने का प्रयत्न किया लेकिन इस सम्बन्ध में कुछ नहीं हुआ । अखिल भारतीय कांग्रेस कमेटी ने इस संबंध में प्रस्ताव पास किया । कुछ भी नहीं हुआ । बार बार हम से कहा गया कि हम रंग बनाने का प्रयत्न करते हैं । हमारे वैज्ञानिक ऐटम बम के सदृश चीजें तो बना सकते हैं लेकिन उन को वनस्पति के लिए रंग बनाने में अब तक सफलता नहीं मिली ।

**श्री किदवई** : रंग है ।

**सेठ गोविन्द दास** : तो हम वनस्पति को जारी रखना चाहते हैं । अब हम मूंगफली का दूध बनाना चाहते हैं । जब इस तरह की चीजें होंगी तो फिर गाय के वंश की उन्नति कैसे होगी? इस पर स्वयं सरकार को विचार करना चाहिए ।

जैसा कि मैं ने निवेदन किया मुझे कहना तो बहुत कुछ था, लेकिन अन्त में मैं एक बात कहना चाहता हूं । इस सारी पृष्ठभूमि में जो कि मैं ने अभी आप से निवेदन की, अब अभी हाल ही में पंडित जवाहरलाल जी का दिया हुआ कृषि मंत्रियों की सभा में भाषण मैं ने पढ़ा तब मुझे बड़ा दुःख हुआ । उस भाषण में सामाजिक रूढ़ियों को प्रगति के रास्ते में बड़ा रोड़ा बताते हुए आप ने कहा, "हमारे देश में मवेशियों का काफी बड़ा सवाल है । सारे देश में मवेशी पूजा की निगाह से देखे जाते हैं और निकम्मे हो जाते हैं और अन्य

देशों में मवेशियों की पूजा नहीं होती पर वह अच्छे होते हैं। मवेशियों को न मारने का कानून बनाने का आन्दोलन होता है। यदि कानून बन गया तो दुगने मवेशी मरेंगे।" आप ने कहा, "यदि वैज्ञानिक दिमाग से काम ले कर सामाजिक रूढ़ियां नहीं बदली गईं तो हमारा सारा पैसा लंगड़े, लूले मवेशियों और आदमियों के पोषण पर समाप्त हो जायगा, बढ़ने के स्थान पर मुल्क तबाह हो जायगा।" आप ने कहा, "लोग चुनाव में हारने के डर से कोई बात न कहें, यदि वह ईमानदारी से सच कहेंगे तो चुनाव हारने की भी संभावना नहीं है।" पंडित जवाहरलाल जी का जहां तक सम्बन्ध है इस देश में जो भी उन को अधिक से अधिक सम्मान और इज्जत की दृष्टि से देखते हैं उन में से मैं भी एक हूं। मैं यह मानता हूं कि इस देश के लिए इस से बड़े सौभाग्य की कोई बात नहीं हो सकती कि पंडित जी के सदृश हमारे नेता हैं और हम भगवान से प्रार्थना करते हैं कि हमारे वेदों में जो शत वर्ष की आयु कही गई है वह पंडित जी को प्राप्त हो और वे इस देश की अपने नेतृत्व में आगे बढ़ायें, इस देश के सम्मान की जिस प्रकार से उन्हों ने विदेशों में वृद्धि की है उसी प्रकार से वृद्धि करते रहें। लेकिन यह सब होते हुए भी मेरा एक निवेदन अवश्य है और मैं चाहता हूं कि उन के पास यह निवेदन पहुंचा दिया जाय।

**श्री किदवई** : आप ही कह दें।

**सेठ गोविन्द दास** : जो लोग इस देश में गोवध बन्द करना चाहते हैं उन को रूढ़िवादी कहना, उन को सम्प्रदायवादी कहना, बड़े से बड़ा अन्याय है। मैं यह नहीं कहता कि रूढ़िवादी और सम्प्रदायवादी गोवध बन्दी नहीं चाहते। उन में से कई लोग रूढ़िवादी हैं, सम्प्रदायवादी हैं जो गोवध के नारे को बुलन्द करना चाहते हैं। लेकिन जो लोग गोवध बन्द करना चाहते हैं वह सब सम्प्रदायवादी हैं, वे सब रूढ़िवादी हैं यह कहना हम लोगों के प्रति अन्याय करना है। कम से कम मैं अपने निस्बत आप से कह सकता हूं कि आज तक इन ३३ वर्षों के सार्वजनिक जीवन में मैं किसी भी सम्प्रदायवादी संस्था का एक क्षण के लिए भी सदस्य नहीं रहा हूं। मैं कांग्रेस में रहा। यहां पर चुनावों का प्रश्न नहीं है। मैं ने इस प्रश्न को सब से पहले १९२६ में काउंसिल आफ़ स्टेट में उठाया था। उस के बाद न जाने कितने चुनाव हो गये और न जाने कितने चुनाव होते जायेंगे। तो मैं उन से निवेदन करना चाहता हूं कि उन की यह जो घोषणा है वह न तो हम लोगों के प्रति न्याय करने की घोषणा है, न उन की यह घोषणा हमारे संविधान के अनुसार है। न उन की यह घोषणा उपयोगी पशुओं की रक्षा करने में काम आ सकती है। मैं उन से यह निवेदन करना चाहता हूं और कृषि मंत्री जी जो यहां बैठे हुए हैं मैं उन की मार्फत उन से निवेदन करना चाहता हूं।

**श्री किदवई** : डाइरैक्टली करिये।

**सेठ गोविन्द दास** : आप उन के प्रतिनिधि हैं। आप इस बात से इन्कार नहीं कर सकते कि आप उन के प्रतिनिधि के रूप में यहां बैठे हुए हैं। तो मैं आप के मार्फत उन से यह निवेदन करना चाहता हूं। मैं यह समझता हूं कि कोई हर विषय में पारंगत नहीं हो सकता, विशेषज्ञ नहीं हो सकता। पंडित जी की गौ के मामले में मैं कोई विशेषज्ञ नहीं मानता। तो इस विषय को वे विशेषज्ञों के सुपुर्द करें। वे इस विषय को उन के सामने रखें और देखें कि उन का मत इस सम्बन्ध में ठीक है या हमारा मत इस सम्बन्ध में ठीक है। जैसा मैं ने आप से निवेदन किया, ३३ वर्षों से यह मेरा विषय रहा है। मैं ने

[सेठ गोविन्द दास]

निरन्तर इस धारा सभा में और काउंसिल आफ स्टेट म इस के लिये प्रयत्न किया है। मैं ने देश में एक एक कसाईखाना घूम घूम कर देखा है। अन्त में मैं आप के सामने कुछ चित्र उपस्थित करना चाहता हूं कि जिन से आप को यह बात ज्ञात होगी कि यथार्थ में किस तरह की गायें मारी जा रही हैं। मैं चाहता हूं कि किदवई साहब इन चित्रों को देखें और इस बात का पता लगावें कि यह उपयोगी पशुओं का वध हो रहा है या निरुपयोगी पशुओं का वध हो रहा है। मैं चाहता हूं कि यह सारी धारा सभा इन चित्रों को देखे और इस बात का पता लगावे कि यह उपयोगी पशुओं के चित्र हैं या निरुपयोगी पशुओं के चित्र हैं। यह चित्र हैं जो मैं आप के सामने उपस्थित करता हूं। मैं चाहता हूं कि अगर प्रोसीडिंग्स में यह चित्र छप सकते हों तो इन को छापा जाय और जो रुपया इन के ब्लाक बनाने में खर्च होगा मैं उस को देने के लिए तैयार हूं।

**Shri K. K. Basu** (Diamond Harbour): Let these photos be placed on the Table of the House.

**Mr. Chairman:** Let these photographs be passed on to the hon. Minister.

**Shri V. P. Nayar:** Let them be placed in the Library so that we may see them at leisure.

**सेठ गोविन्द दास** : तो मैं चाहता हूं कि एक बार इस का पूरा हैंसनस निकाल लिया जाय और यह देखा जाय कि जो लोग यह कहते हैं कि कतई गोवध बन्द हुए बिना उपयोगी पशुओं की रक्षा नहीं हो सकती वे सही हैं या जो लोग यह कहते हैं कि यह बात नहीं है वे सही हैं। और इस सम्बन्ध में हमारे पंडितजी, हमारे कृषि मंत्री जी विशेषज्ञों की एक कमेटी बनावें और सारे प्रश्न को देखें और निर्णय करें।

**Mr. Chairman:** There was a Committee and this matter was referred to them. Does the hon. Member want another Committee?

**सेठ गोविन्द दास** : मैं चाहता हूं कि अगर उन को उस कमेटी से सन्तोष न हो तो वह दूसरी कमेटी बना लें। मेरा तो यह मत है कि मेरा यह विधेयक ठीक है। लेकिन मैं पंडित जी और कृषि मंत्री जी से निवेदन करना चाहता हूं कि यदि उन को जो कुछ हम ने पेश किया है उस पर संतोष नहीं है तो वे एक कमेटी और बना सकते हैं। मैं एक घंटे का समय और चाहता था। मैं कहना चाहता था कि इस देश में कृषि की और दूध की क्या दशा है। मैं वह अंक आप के सामने उपस्थित करना चाहता था।

**Mr. Chairman:** Order, order. The proposal of the hon. Minister that the hon. Member be allowed to continue for 4 hours may be considered and the Bill will automatically be buried.

**सेठ गोविन्द दास** : मैं समाप्त कर रहा हूं और आशा करता हूं कि इस धारा सभा के सब दलों के लोग मेरे इस विधेयक का समर्थन करेंगे।

**Mr. Chairman:** Motion moved:

> "That the Bill to preserve the milch and draught cattle of the country, be taken into consideration."

**Shri V. G. Deshpande:** There is an amendment.

**Mr. Chairman:** Yes, Shri Deshpande.

**Shri V. G. Deshpande:** I beg to move:

**Some Hon. Members:** Hindi.

**श्री बी० जी० देशपांडे** (गुना) : हिन्दी अपनी राज्य भाषा है, किन्तु इस के पश्चात् भी यह विधेयक की सूचना अभी तक सदन के मंत्रालय से हिन्दी में नहीं आती और अंग्रेज़ी में ही सूचना आने के कारण मैंने अंग्रेज़ी में पढ़ना आरम्भ किया। इस का भाषान्तर करते हुए जो सूचना है वह मैं पढ़ता हूं कि यह विधेयक एक प्रवर समिति को सौंपा जाय जिस के सदस्य हों :

**सेठ गोविन्द दास, श्री पुरुषोत्तम दास** टंडन, श्री जी० डी० सोमानी, श्री नन्द लाल शर्मा, श्री चोइथराम पी० गिडवानी, श्री पी० एन० राजभोज, श्री उमाशंकर मूलजीभाई त्रिवेदी, श्री शंकर शान्ताराम मोरे और सूचक। यह सूचना मैं कर रहा हूं। यह सूचना करते वक्त . . .

**Mr. Chairman:** The hon. Member must realise that his motion is not complete. He has not given the date by which the Committee should report.

**श्री बी० जी० देशपांडे** : और प्रवर समिति का प्रतिवृत्त १ फरवरी सन् १९५४ से पूर्व इस सदन के सामने उपस्थित किया जाय।

**एक माननीय सदस्य** : बस १ ?

**श्री बी० जी० देशपांडे** : मुझे बोलना है।

सभापति जी, सेठ गोविन्द दास जी ने यह प्रस्ताव बड़े प्रदीर्घ रूप में सदन के सामने रखा है। मैं समझता हूं कि इस प्रस्ताव को स्पष्ट रूप से मान्यता देनी चाहिये, इस कारण से मान्यता देनी चाहिये कि यहां पर जानवरों की जो व्याख्या की गयी है, इस प्रस्ताव में पश की जो व्याख्या की गयी है, शी बफैलो, अर्थात् हिन्दी में भैंसे और भैंस को भी सम्मिलित किया है। मैं तो इस प्रकार की शब्द रचना नहीं करता। मैं तो स्पष्ट रूप से कहता हूं। जैसे कि हमारे संविधान में गाय और बछड़े को अलग रखा है, उसी प्रकार गाय का स्थान स्पष्ट रूप से रखना चाहिए था। किन्तु भारतवर्ष में एक विकृति आ गई है, इस विकृति का नाम है 'सैक्युलैरिज्म'। हिन्दू की कोई भी बात आज कही जाय तो वह बुरी है। हिन्दू, मुसलमान, सिक्ख, पारसी, आदि के साथ यह नाम लिया जाय तो अच्छा है लेकिन अकेले हिन्दू का नाम लिया जाय तो वह बुरा है। किसी ने कहा कि अगर यह कहा जायगा कि गाय की रक्षा करनी चाहिये तो पंडित जी कहेंगे कि यह सम्प्रदायवाद है। इसलिये शायद सेठ गोविन्द दास जी आदि समझते थे कि यदि गाय के साथ भैंस आई तो काले, पीले, गोरे, सब साथ में आ गये और इस को पंडित जी सम्प्रदायवाद नहीं कहेंगे। लेकिन "काल स्पेड ए स्पेड", मैं तो स्पेड को स्पेड ही कहना ठीक समझता हूं और सभापति जी, मैं समझता हूं कि यदि सब सदस्य अपने हृदय पर हाथ रख कर देखें तो मुझे पूरा विश्वास है कि सब के हृदय में यही भावना है। वह अपने हृदय में समझते हैं कि हम को निर्वाचन के लिये देश में जाना है, जनता के पास जाना है। वोट की बड़ी चिन्ता उन के हृदय में है मेरे हृदय में वोट की चिन्ता तो नहीं है, लेकिन हिन्दुस्तान के ३५ करोड़ हिन्दू इस विषय में क्या सोचते हैं यह अपने हृदय पर हाथ रख कर आप देखें तो मालूम होगा कि यह ३५ करोड़ जनता गाय की रक्षा के लिये ही मांग करेगी।

मैं इस गोरक्षा के प्रश्न पर यह दृष्टि-कोण नहीं रखता हूं कि उस की उम्र क्या हो

[श्री गो० जी० देशपांडे]

मेरा दृष्टिकोण नहीं है । गोरक्षा यह हिंदुओं का मान बिन्दु है । गोवध देश में पूरी तरह बन्द करना चाहिये । इस के लिये मैं समझता हूं कि देश की सरकार का कर्त्तव्य है कि वह पूरे भारतवर्ष में गोवध पूरी तरह बन्द कराए । इस मांग के अन्दर कोई सम्प्रदायवाद नहीं है, कोई संकुचित दृष्टिकोण नहीं है, यह पूरी न्यायोचित मांग है । और यह मांग करते वक्त हमें कोई हिचकिचाहट नहीं है । मैं किसी प्रकार की हिचकिचाहट करना मानसिक दुर्बलता का लक्षण समझता हूं । फिर आज ही नहीं, आज से सैंकड़ों वर्ष के पूर्व, आज तो हम हिन्दू शब्द कहते हुए इस सैक्युलैरिज्म में हिचकिचाते हैं, आज से सैंकड़ों वर्ष पूर्व का हुमायूं का अपना मृत्युपत्र लिखा रखा है । उस ने लिखा है कि यदि इस देश में आप राज्य करना चाहते हैं तो इस देश की जनता की भावना के अनुसार गोवध नहीं होना चाहिये, इसलिये हम को गोवध बन्द करना है । उस समय एक बाहर का व्यक्ति राज्य करता था । वह देखता है कि इस देश में राज्य करना है तो हिन्दू की भावना का सम्मान करना होगा और गाय का वध बन्द करना होगा ।

फिर शाह आलम ने भी अपने एक फतवे में कहा है, माधव राव सिंधिया को, कि इस देश में हिन्दू चाहते हैं और हमें इस देश में हिन्दुओं पर राज्य करना है, तो इस देश के हिन्दुओं की इच्छा का मुझे सम्मान करना पड़ेगा, तो यह जान कर मुझे गोवध को बन्द करना चाहिये । मैं जानता हूं कि गाय देश को आर्थिक दृष्टि से बड़ी लाभदायक है । लेकिन मेरे हृदय में आर्थिक भावना नहीं है । मेरे हृदय में धार्मिक भावना है और यह मेरा मान बिन्दु है । इस कारण इस देश में जब तक गोवध बन्द नहीं होता है तब तक मैं यह गोवध का आन्दोलन चलाता रहूंगा । मेरे सामने इस का आर्थिक दृष्टिकोण नहीं है, न यह दृष्टिकोण है कि गोमूत्र में कितना नाइट्रोजन है, गोबर में कितना नाइट्रोजन निकलता है । यह इस प्रकार की बातें सोचने के लिये मैं तैयार नहीं हूं । चमड़े के लिये कितनी गायों का बध होता है । गोमांस के लिये करोड़ों रुपये का मांस इस देश से बाहर जा रहा है । कलकत्ते के अन्दर स्वयं डाक्टर पंजाबराव देशमुख गये थे तो इन किताबों में इस के पूरे फ़िगर्स और चित्र श्री हरदेव सहाय जी ने दिये हैं जिन को सेठ गोविन्द दास जी ने बताया है । वह सब चित्र और फ़िगर्स आप के सामने रखे हैं कि देश में किस प्रकार गोहत्या, छोटी उम्र की और बड़ी उम्र की, सब उम्र की आज हो रही है । लेकिन मेरा सवाल उम्र का नहीं है । मेरा यह आर्थिक मान दंड नहीं है कि दूध देने वाली कौन सी गाय है और दूध न देने वाली कौन सी गाय है । न मेरे सामने यह प्रश्न है कि इन के मारने से क्या मिलता है । यह मेरे लिये सीधा धर्म का प्रश्न है । मैं तो कहता हूं कि यदि आप आर्थिक दृष्टि से इस तरह गाय की बात करते हैं तो फिर फैमिली प्लानिंग के लिये भी आप के पास सीधा रास्ता है कि जितने बूढ़े लोग हों, उन को आप मार डालें, फिर फैमिली प्लानिंग की कोई जरूरत ही नहीं रहेगी । लेकिन मेरा तो स्पष्ट दृष्टिकोण है । इस दृष्टि से मुझे तो पंडित नन्दलाल जी शर्मा की बात याद आती है कि गाय को जानवर कहना, यह बात भी मान्य नहीं है । मेरे सामने तो सीधा धार्मिक प्रश्न है, इस कारण मैं तो मानता हूं कि मेरे लिये गाय जानवर नहीं है, यह देवी है, यह मेरी माता है । इस प्रकार माता का विचार करते हुए मैं तो यह सोचने के लिये तैयार नहीं हूं कि

यह गाय आर्थिक दृष्टि से मेरे लिये कितने फ़ायदे की चीज़ है, यह सवाल मेरे सम्मुख नहीं है ।

सभापति जी, सेठ गोविन्द दास जी ने एक बड़ा मौलिक सवाल आज सदन के सामने रखा है और मैं समझता हूं कि आज सदन की परीक्षा का समय आ गया है । बाबू राजेन्द्र प्रसाद ने क्या कहा, महात्मा गांधी जी ने क्या कहा, यह बातें आज मैं आप के सामने रखना नहीं चाहता हूं । पंडित जी ने सन् १९३९ में जो प्लानिंग कमीशन हुई थी, उस की अध्यक्षता पद से उन्हों ने कहा था :

> "The sub-committee suggests a change in the people's food habits which shall have to be preceded by a revolution in religious sentiment towards the use of the surplus cattle for food".

इस देश की जनता की धार्मिक भावना में परिवर्तन करने की दृष्टि से पंडित जी ने यह बात कही थी ।

दूसरे महान् नेता श्री कन्हैयालाल जी मुन्शी जब यहां के कृषि मंत्री थे तब पंजाबी साहब ने प्रान्तों के पास कैसा सरक्युलर भेजा यह मुझे और आप को मालूम है । यहां डाक्टर काटजू साहब बड़े ज़ोर से कहने लगे कि यह [हिन्दूसभाई जा जा कर प्रचार करते हैं कि कांग्रेसी गोवध बन्द नहीं कर रहे हैं और इस के लिये उन्हों ने बड़े आंसू भी बहाए । मैं तो आप से कहता हूं कि आप सीधे कहिये कि गोहत्या बन्द करना चाहते हैं या नहीं । पंडित जी के पास कुछ लोग जाते हैं तो वह कहते हैं कि यह तो स्टेटों का मामला है, राज्यों का मामला है, यह कह कर वह टाल देते हैं । इधर यहां से यह पंजाबी, आई० सी० एस०, इस तरह का सरक्युलर प्रान्तों को भेजते हैं कि कांस्टीट्यूशन का, हमारे संविधान का, अर्थ यह है कि गाय का वध हम रोकना नहीं चाहते हैं, जो दूध देने वाली गाय हैं, उपयुक्त पशु हैं, उन का ही वध हम केवल रोकना चाहते हैं ।

आगे चल कर जैसा सेठ गोविन्द दास ने बताया मध्यप्रदेश में भी नागपुर कार्पोरेशन को सर्कुलर आ गया कि आप सब गायों का वध नहीं रोक सकते हैं । एक तरफ तो राज्य सरकार गोवध निषेध के लिए प्रस्ताव पास करती है और दूसरी तरफ़ से उन का हाथ पकड़ लेती है कि ऐसा न करो, सरकार की इस दुरंगी नीति का हम को पूरा अनुभव हो गया है और आज मैं सरकार से एक [सीधा सादा सवाल पूछना चाहता हूं और इस सदन के हर एक सदस्य से यह पूछना चाहता हूं कि आप वास्तव में इस देश के अन्दर गो-वध रोकना चाहते हैं कि नहीं । इस संबंध में अब तक का हमारा अनुभव यह है कि गोवध के सम्बन्ध में तरह तरह की दलीलें दी जाती हैं और वादविवाद किया जाता है, वह कहते हैं कि गोवध को तो आप रोकना चाहते हैं, लेकिन गाय को कोई नहीं पालता, या गाय को कोई खिलाता नहीं या गाय दूध नहीं देती, इस तरह की उन की दलीलें सुन कर मैं बहुत हैरान रह जाता हूं कि आखिर हमारे शासक चाहते क्या हैं ? यह भी खूब है, कोई क़त्ल करने के लिए आता है, आप सरकार के पास फ़रियाद ले कर जाते हो कि यह हमें क़त्ल करता है, हम को बचाओ, तो उस को यह जवाब दिया जाता है कि इस देश में बेकारी है, हमारे नन्दा साहब ने ऐसा कहा और देशमुख साहब ने इस को माना कि करोड़ों लोग बेकार हैं और भुखमरी गोरखपुर आदि स्थानों में हो रही है । और चूंकि देश में बेकारी और भुखमरी फैली हुई है इसलिये इंडियन पैनेल कोड से दफ़ा ३०२ को हटा दो और क़त्ल चल सकता है,

[श्री वी० जी० देशपांडे]

सरकार की गोवध निषेध के सम्बन्ध में जो दलीलें हैं, वह ठीक इस प्रकार की हैं। हमारी और देश भर की यह आवाज है कि गोरक्षा होनी चाहिये, गोसंवर्धन होना चाहिये। लेकिन गोरक्षा और गो संवर्धन दो अलग अलग प्रश्न हैं, इस देश की सरकार का यह उत्तर-दायित्व है, यह दलील दे कर हमारा मुंह बन्द करना और इस देश की जनता की आवाज की अवहेलना करना आप के लिए कदापि उचित और शोभनीय नहीं है और पार्टी डिस्प्लिन के नाते मेम्बरों का इस बारे में मुंह बन्द करना, यह आप के लिए ठीक नहीं है और इस से तो जनता में व्यापक असन्तोष ही फैलेगा, क्योंकि वह एक स्वर से गोवध निषेध के लिये मांग कर रही है और एक प्रजातंत्रीय सरकार को जनता की आवाज की अवहेलना नहीं करनी चाहिये। मैं जानता हूं कि अगले अधिवेशन में इस विधेयक पर मतदान होगा तब कांग्रेसी सदस्य प्रतोद-चाबुक के डर से उस के विरुद्ध मत-दान करेंगे यह मैं जानता हूं लेकिन मैं उन को बतला देना चाहता हूं कि मेरा वह मुंह बन्द नहीं कर सकेंगे, क्योंकि मेरे ऊपर पार्टी का चाबुक कोई असर नहीं करेगा और मैं यहां लाखों मतदाताओं के प्रतिनिधि के रूप में आया हूं और मैं जानता हूं कि मेरे पीछे देश के पैंतीस करोड़ लोगों का समर्थन है और वह चाहते हैं कि भारत सरकार क़ानून से इस देश में गोवध बन्द कराये और जनता का एक प्रतिनिधि होने के नाते मैं यह मांग सरकार के सामने प्रस्तुत करना चाहता हूं।

**Shri Dabhi** (Kaira North): Mr. Chairman, Sir, I rise to support the motion moved by my hon. friend Seth Govind Das. It is not necessary to impress upon this House the importance of the cow in this country which is predominantly an agricultural country. We know that the cow gives us milk as also ghee which is considered by the Ayurved as life itself: आयुर्वैघृतम् The cow also gives us manure, and bullocks, without which this agricultural country cannot carry on. Even after its death, the cow gives us skin and bones. All this only goes to show the economic value of the cow. Besides, we cannot forget the fact that to a vast majority of the people in this country, the cow is a *mata* (mother), and just as the idea of killing a mother is detestable to her child, the killing of a cow is considered detestable by the vast majority of people in this country. From this point of view also, it is absolutely necessary that there should be a complete ban on the slaughter of cows. According to the *Rig Veda*, the cow is a mother and the centre of nectar: अमृतस्य नाभिः So, from the economic as well as the sentimental points of view, it becomes necessary to put a complete ban on the slaughter of cows.

In the first place, we have to look at the economic aspect of the matter. There is no difference of opinion that there should be a ban on the slaughter of useful cows and useful cattle. Yet the fact remains that even after five years of independence, as my hon. friend Seth Govind Das has shown, we have not done anything to ban the slaughter of cows. The difference of opinion comes in only with regard to decrepit and old cows, which cannot bear any calves.

Two arguments have been advanced in favour of not banning the slaughter of old and decrepit cows. The first is that, because the Islamic religion ordains that there should be a sacrifice of cows, we should not wound the feeling of our Muslim brethren, by banning the slaughter of cows. I do not know—I have not studied the Islamic law—whether the religion of Islam says so, but I do not think it would have ordained that cows should be offered in sacrifice, because in its country of origin, *viz.* Arabia, there were no cows, and so the Muslims could not have been killing cows in

sacrifice. Therefore, I do not think even our Muslim brethren will have any objection to this ban on slaughter of cows. Even taking it for granted that such a sentiment is there among the Muslims, still we must take the other and larger sentiment of crores of people that the cow should be protected, and it will be clear to any man with a certain amount of commonsense, that he should respect that sentiment.

The second argument that has been advanced is that the preservation of decrepit and old cows will not be an economically sound proposition. My hon. friend Seth Govind Das has already shown to the House with facts and figures, that even old and decrepit cattle would not be a burden on the country economically, if a proper plan is chalked out for looking after them in *gosadans*. There is one other factor also to be borne in mind in this connection. If a man has been maintaining these cows for the sake of milk, and the bullocks for work, for a number of years during which they were useful, it is certainly his bounden duty that he should maintain them even in their old age. But our present difficulty is that the poor people who are not able to maintain them sell them to the slaughter houses, for a cheap price. But once the law is passed that there should be a complete ban on the slaughter of cows, the old and decrepit cattle of even poor people will be looked after in the *pinjrapoles*, and the philanthropists in the country could also play a useful role in this connection, so that the economic possibilities of these old and decrepit cattle also could be fully explored. At present, people want to sell these to the butcher, because they want to get what little money they could by such sale. But if these are looked after in the *gosadans* and *pinjrapoles*, they will cease to be an economic burden upon the country.

My hon. friend Seth Govind Das has referred to Article 48 of the Constitution, which enjoins that there should be a complete ban on the slaughter of draught and milch cattle.

The last point that I wanted to say is this. We often say that this Constitution is a sacred thing. Just now the Ayyangar Committee's report before the House stated that the Constitution should be considered as sacred. It was said earlier that we should not do anything which is a fraud on the Constitution. If we believe in the Constitution, then as long as that Constitution stands, we must abide by that and act according to that. As that Constitution enjoins upon us, upon the country that there should be a complete ban on the slaughter of cow, I hope that not only this House but the Government also would welcome this Bill and pass it as soon as possible.

With these few words I again whole-heartedly support the Bill.

**Mr. Chairman:** I put the amendment for reference to the Select Committee before the House.

Amendment moved:

"That the Bill be referred to a Select Committee consisting of Seth Govind Das, Shri Purushottamdas Tandon, Shri G. D. Somani, Shri Nand Lal Sharma, Shri Choithram P. Gidwani, Shri P. N. Rajabhoj, Shri U. M. Trivedi, Shri S. S. More and the mover, with instructions to report by the 1st February, 1954."

**Shri Kidwai:** I am thankful to my friend, Mr. Givind Das....

**Mr. Chairman:** Before the hon. Minister proceeds, I will make one point clear. This is not the final speech; he is intervening at this stage in order to place before the House how the Government reacts to this Bill. Therefore, if other hon. Members are anxious to speak they will be given time, if necessary.

**Shri Kidwai:** I wanted to thank my hon. friend, Mr. Govind Das for re-

[Shri Kidwai]

minding me of a speech which I had delivered at Patna on the occasion of Id. I still stand by what I had said then. I said, whatever be the pros and cons of it, if the sentiment of a vast majority of our countrymen wanted certain measures to be taken then it has to be taken if majority rule prevails. Seth Govind Das will remember that we had discussed all that we could do and we appointed a Committee of which Seth Govind Das and our President of the day were members. They had drafted a Bill. I am sorry that for the first time I saw the draft today. It does not go to the extent that I was thinking to take it. But I am reminding Seth Saheb of one thing. There he said that this House was not competent to deal with it; he had said that it is the State Legislature which can pass it.....

**Seth Govind Das:** On a point of personal explanation, Sir.....

**Shri Kidwai:** He had also said at one stage that if the State Legislatures authorise, then we can pass this legislation and it will be effective in the States where the Legislature had authorised the passage of such a Bill. I therefore say that all this discussion—and even if we pass this Bill—will be futile unless we are sure of our position. Either we have to get the sanction of the State Legislatures to pass this Bill or the State Legislatures have to pass the Bill. Otherwise, whatever we do, it will be futile and what the Seth Saheb said in his speech confirms me in this view.

Some legislation was passed but it was not being given effect to. Some complaints were received that the Bengal Government is not giving effect to it. Then I wrote to the Bengal Government and they made the necessary announcement. Still there were some complaints and a few months ago I requested Dr. Deshmukh to discuss it with the local Government. As he said it is still not being given effect to. It is a matter for the State Legislatures to decide and it is for the State Governments to give effect to. Therefore, if we pass this legislation without their authority, it will not be effective. I would therefore say that we should not waste our time on futile things. Either the Seth Saheb should go in for an amendment of the Constitution or the State Legislatures should authorise us. If the Constitution is so amended that this Legislature has got the authority to pass such a Bill, then surely I think the Government would itself come forward with a Bill. Leaving aside all the arguments that have been advanced in favour of the Bill, for me one argument stands. That is, if the overwhelming majority or a very large proportion of the population of this country want it, if their sentiment demands that such a Bill should be passed, it must be passed. We must be sure that we are not doing a thing which would prove futile. Therefore I think we should consider this point.

**Shri Nand Lal Sharma** (Sikar): On a point of order, Sir. The Chair has already decided this point of order which was raised by one hon. Member. Does the hon. Minister want to rule it out?

**Mr. Chairman:** The hon. Minister is only giving his opinion that it will be futile to pass the Bill in this House. It is his opinion. Every hon. Member is entitled to give out his opinion. In his opinion with the present Constitution in operation it would be futile to pass this Bill. The hon. Minister is only saying what he thinks. So far as the Chair is concerned, it has not ruled that it is *intra vires* or *ultra vires*. The Chair has left it to the House and said that it is for the House to consider what to do.

**Shri Kidwai:** I said that I was supported by two Members of this House; one of them is Seth Govind Das himself. I have only to state at this stage that if you pass this legislation—it may be supported by the sentiment of a vast majority of the people of this country—it may not be effective. We may consult the Law Minister, we may consult the At-

torney-General and if they think that there is no possibility of its not being given effect to, then we may pass it. Otherwise, we may get the authority from the State Legislatures as Seth Govind Das himself had suggested. He had drafted a Bill which does not go to the extent that we had discussed. I think he felt that there are some difficulties. They drafted it; they sent it to the States and they also noted that the States can go further from the draft. That is the legal position. Therefore, I think we should consider this before we proceed further and waste the time at our disposal.

6 P.M.

**Mr. Chairman:** Now, it is arleady 6.00.

**An Hon. Member:** Decide the point of order or take legal opinion.

**Mr. Chairman:** So far as the Chair is concerned, the ruling has already been given. Now, this Bill will be taken up in its proper time. We now take up the other business of the House, that is, Mr. M. A. Ayyangar's motion regarding the first report of the Committee on Private Members' Bills.

**Shri K. K. Basu:** May I suggest that in view of the importance of the legal point raised, when the Bill comes up next for discussion, will the Government ascertain the opinion of the Attorney-General or the Law Minister? Otherwise....

**Mr. Chairman:** So far as the House is concerned, the point of order was raised and it has been decided. But at the same time, if the hon. Members—if all the hon. Members or a majority of the hon. Members are of the view that this Bill cannot be taken up here, they can certainly say so, and opine that they do not want to consider the Bill.

**Shri K. K. Basu:** I only submit that the Members are competent to decide, but that you should get the advice of the Attorney-General.

**Mr. Chairman:** So far as the House is concerned, the point of order has been decided. It is not the business of the Chair now to go into this question. Either the hon. Mover of the Bill or the Government may adopt such course as they like.

**The Minister of Law and Minority Affairs (Shri Biswas):** There is an appeal to the Law Minister. So, I will just say this. This Bill, as has been pointed out, was first brought forward in 1949, and Dr. Ambedkar, who was then the Law Minister, gave the opinion that in view of the fact that this matter forms the subject of entry No. 15 in List II of the Seventh Schedule of the Constitution, it was not competent for the Central Legislature to enact any such law. Sir, so far as I am concerned, on the point of interpretation, I adhere to that opinion, but even though it was held to be *ultra vires* by the Law Ministry, that Bill was allowed to be discussed on the last occasion. And you have ruled, Sir that it may be discussed now also. In casting their votes, hon. Members will be guided by their own opinion. So far as the Law Minister's opinion is concerned, it is the same as that of Dr. Ambedkar on the last occasion.

**Mr. Chairman:** I do not see how the matter can be discussed again. A ruling has been given so far as the Chair is concerned. The House has also heard the Law Minister. At present, the House is in possession of the opinion of Dr. Ambedkar and also of the opinion of the Food and Agriculture Minister. The House is of course a responsible body and it will consider the Bill in proper time as to what is to be done?

**Shri R. K. Chaudhuri** (Gauhati): What I want to say is this. In this House we want to pass a legislation which will be really effective and in order to have an effective legislation, we want the considered opinion, as some of my friends here said, of a really responsible Law Officer, that is to say, the Attorney-General.

**Mr. Chairman:** Our Law Minister is a responsible law officer also.

## MOTION *Re.* FIRST REPORT OF THE COMMITTEE ON PRIVATE MEMBERS' BILLS

**Mr. Chairman:** In considering this motion,—it is a very simple one—I would request the hon. Members not to exceed the time-limit of five minutes. After all, there is only half an hour, and only five or six Members can take part. Mr. Altekar.

**Shri Altekar** (North Satara): I beg to move:

> "That this House agrees with the first Report of the Committee on Private Members' Bills presented to the House on the 9th December, 1953."

Sir, there was a committee on Private Members' Bills nominated by the hon. Speaker as per rule 37A, and after considering the Bills that were placed before it in two meetings that were held on the 4th and 8th December, 1953, it has presented this report to this House.

Sir, according to the rule, the Bills fall under two heads, one is as regards the amendments to the Constitution and the other is on matters which do not seek to amend the Constitution but which are on questions of importance—whichever question the hon. Member wants to move before this House. So far as Bills which do not concern the Constitution are concerned,....

**Shri S. S. More** (Sholapur): On a point of order. My submission is that the motion stands in the name of Shri M. A. Ayyangar. He happens to be the Chairman of this particular Committee and under the rules published in the Gazette on 3rd October, 1953, he has to submit the report. If any motion is to be moved, as a matter of fact, it should be moved by the person in whose name the motion stands. Of course, as far as Government is concerned, I can well understand that when a particular Minister has tabled a motion, another Member of the Government can move that motion for consideration of the House, allowing the original Member to take refuge. But, as far as private Bills are concerned—this is more or less a private motion—my submission is that under the rules, the hon. Member who has tabled the motion must move it. Of course, the hon. Member has moved this particular motion happens to be a Member of the Committee, but my submission is, I would like to.....

**Shri Altekar:** According to Rule 37H, the motion can be moved by any Member. There is no such restriction placed on the mover of the motion. "At any time after the report has been presented to the House a motion may be moved that the House agrees or agrees with amendments or disagrees with the report."

**Shri S. S. More:** Will you allow me to explain? The Secretary referred to some sections, to some particular rule. The hon. Member who says that the motion may be moved that the House agrees or agrees with amendments or disagrees with the report. In view of the proviso under rule 37H—"Provided that not more than half-an-hour shall be allotted for the discussion of the motion and no member shall speak for more than five minutes on such a motion."—and as per the motion which has already been given notice of by the Chairman of the Committee, can a motion of which notice had been given by one Member be permitted to be moved by another Member in this fashion? It might be a precedent for us....

**Mr. Chairman:** I understand what fell from the hon. Member. He was raising two points. My ruling is this on the first point. The rule is quite clear on this point. Rule 37G(2) says "The Report of the Committee shall be presented by the Chairman or by a member of the Committee to the House." On the second point we all know that so far as the Deputy-Speaker is concerned, if he is in the House, then he must preside in the absence of the Speaker. When presiding, it is difficult for him to move any motion. So, it means that whenever the Deputy-Speaker is the Chairman of any Committee, and he is the

Chairman in many Committees, no motion can be made by the Deputy-Speaker at all when the Speaker is not in the House. No motion can be made by the Chairman also as such. The practice in this House has been—I have been a Member on the Panel of Chairmen for a long time—that sometimes when there were certain amendments in my name, those amendments were allowed by me to be moved by other Members, since a person who is in the Chair, cannot be supposed to move them. So, so far as the practice and the rules are concerned, it is perfectly open to Mr. Altekar to move the motion.

**Shri S. S. More:** With your permission.

**Mr. Chairman:** It has been decided. No further argument.

**Shri S. S. More:** I am referring you to another rule.

**Mr. Chairman:** The point of order has been raised. It has been decided. That is the end of the matter.

**Shri S. V. Ramaswamy** (Salem): I raise another point of order.

**The Minister of Law and Minority Affairs (Shri Biswas):** How many minutes of the half-hour shall we waste on points of order?

**Shri S. V. Ramaswamy:** Under sub-rule (2) of Rule 37G, there is no provision for the mover to make a speech here.

**Mr. Chairman:** Order, order Mr. Altekar.

**Shri Altekar:** I was submitting that as regards the Bills which are in connection with matters other than amendments to the Constitution, the Committee has to examine them after they have been introduced in this House and divide them into two categories A and B according to their importance and urgency. Then, of course, the time is to be allowed for a particular Bill and then it would be the time allotted for all its stages.

So far as the Bills in connection with other matters—that is other than constitutional—which came up before the Committee, were concerned, there was the Bill for the consideration of which my hon. friend Shri Seth Govind Das was already on his legs. We sought to determine the time for all its stages and we decided that four hours should be taken for the consideration of the Bill.

As regards the other Bills, that is, Bills seeking amendment to the Constitution, they are to be considered by the Committee before they are introduced in this House, and the Committee has to report to the House whether leave should be granted to move those Bills. We examined all these Bills. While examining whether leave should be granted or not, four important principles were laid down. They are mentioned in the report. I am not going to repeat them, because time is short. But one important point which I would like to make for the consideration of the House is that when a Bill is brought to amend the Constitution the most important thing that has got to be borne in mind is that our Constitution was framed by a Constituent Assembly which was specially elected for that particular purpose.

The Constituent Assembly has considered all the aspects of the various questions that have arisen and has framed the Constitution after a thorough discussion of the pros and cons. It is hardly three years and we are the first elected Parliament under that Constitution. The experience we had of the working of the Constitution is barely for two years. It has to be borne in mind by every one of us that the Constitution is a sacred document and it should not be lightly treated. The subject matter of the three different Bills that are now sought to be introduced in this House, regarding the election or otherwise of the Governor, the abolition of the Second Chambers and raising the age-limit of the Members, were thoroughly thrashed out in the Constituent Assembly, and I beg to submit that nothing unforeseen, nothing new, has taken place which warrants any change in the Constitution.

[Shri Altekar]

Sir, I do not want to take any more time of the House, because other hon. Members are anxious to speak. But I would like to mention that the matter was considered by the Private Members' Bills' Committee at two different meetings. The members concerned were called before the meeting and those present placed their views before it. The Committee gave dispassionate consideration to all matters and has submitted its report, and I suggest that it should be accepted by the House.

**Mr. Chairman:** Motion moved:

> "That this House agrees with the first Report of the Committee on Private Members' Bills presented to the House on the 9th December, 1953."

**Shri M. S. Gurupadaswamy** (Mysore): On a point of information. May I submit that the Members in whose names the Bills are standing may be given a chance first to speak?

**Mr. Chairman:** This is not asking for information. It is a direction to the Chair. The Chair will exercise proper discretion in the matter.

**Shrimati Renu Chakravartty** (Basirhat): On a point of information: are we expected to finish discussion on this motion by half past six.

**Mr. Chairman:** By 6·35. Five minutes were taken on some other subject.

**Shrimati Renu Chakravartty:** There are only fifteen minutes left; several of us who have tabled amendments are anxious to take part.

**Mr. Chairman:** The Chair is not responsible for it.

**Shri S. S. More:** I want to raise another point of order.

Though some of the Members are welcoming my point of order with a sort of derisive laughter.....

[MR. DEPUTY-SPEAKER *in the Chair*]

I am very happy, Sir, that the Chairman of the Committee against whom I have got a lot of complaints happens to be in the Chair.

The motion is that the first Report of the Committee on Private Members' Bills presented to the House be accepted. There are no definite recommendations, one, two, three, four, which we are asked to accept. So, this motion by itself is very vague.

**Shri K. C. Sodhia** (Sagar): On a point of order. My submission is whether the Chairman of the Committee who has presented this report is at all warranted to occupy the Chair.

**Shri S. S. More:** I do not want to be so rude.

**Mr. Deputy-Speaker:** I do not think there is any point of order.

**Pandit Thakur Das Bhargava** (Gurgaon): The points raised are: that this motion has been made by another Member of the Committee, not by the Chairman himself. The other point is.....

**Shri S. S. More:** You have not yet heard my point.

**Mr. Deputy-Speaker:** Hon. Members might take it from me that I have absolutely nothing to do in this matter. I have no personal interest in it. I am a Member of several Select Committee, though I am not anxious to be in them. The Deputy-Speaker when he is a member of a Select Committee presides over them. No exception has till now been taken on this ground. I may inform hon. Members that I keep an open mind on the subject. Therefore with a clean heart they can proceed.

But a point of order, if one is sought to be raised, must be clearly stated.

**Shri S. S. More:** My point of order is that this report is against the Constitution and our Rules of Procedure. It circumscribes the rights of private members to participate in the proceedings of the House, according to the freedom granted to them under the Constitution.

One of the recommendations of the Committee is that any Bill suggesting an amendment to the Constitution should not be allowed to be even introduced in the House. A private member has been defined in the Rules of Procedure as any other other than a Minister.

Under Article 105 of the Constitution the rights and privileges of the Members of this House are on a par with those of the House of Commons. I would refer you in this connection.

**Mr. Deputy-Speaker:** Not necessary, the hon. Member need only state the point.

**Shri S. S. More:** I am substantiating them with authorities.

**Mr. Deputy-Speaker:** It is not necessary.

**Shri S. S. More:** I am habituated to argue with authority.

**Mr. Deputy-Speaker:** The hon. Member ought not to import the practice in a court into this House.

Hon. Members have got a right to state a point. Whenever I do not understand a point I will request them to explain them. Under the rules points have only to be stated.

**Shri S. S. More:** I quite see, Sir, but some of us are quite new to Parliament. So, this report goes against Article 105, if I may say so.

**Mr. Deputy-Speaker:** That is the privilege article. Hon. Member may kindly resume his seat. I have understood his point of order.

First of all, this is only a recommendation made by a committee. It is for the House to decide whether leave to introduce should be granted or not. It is open to hon. Members to move an amendment on the lines of Mr. Ramaswamy's and seek the vote of the House.

**Shrimati Renu Chakravartty:** Are we to take it that the recommendations of the Committee are only of a recommendatory character? But from the way it has been framed, it does not seem so.

**Mr. Deputy-Speaker:** Hon. Members will kindly look into the rules. These recommendations are only recommendatory. Unless the House accepts and agrees with those recommendations they won't be binding on anybody. It is open to the House to throw out the motion, in which case the recommendations would not have any effect, or accept it with such modifications as it chooses. The House is absolutely free to come to its own conclusion. Anything affecting the Constitution is an important matter; so a Committee of the House has gone into this matter.

**Shri S. S. More:** Unfortunately I have not been properly understood. I know we are running against time. We cannot help it. There is the question of the rights and privileges, and one of the important recommendations of the Committee is, if I can read it to be precise....

**Mr. Deputy-Speaker:** I have given my ruling. There is absolutely no question of this Committee's recommendation binding upon this House unless it is an order of the House. Therefore nobody is fettered and no privilege is interfered with. The House can oppose and throw it out.

**Shri S. S. More:** Even under the rules of the constitution of the Committee itself, powers were given to the Committee to examine, not to make any recommendation. And if the Committee has made recommendations. they are *ultra vires.*

**Mr. Deputy-Speaker:** The hon. Member is leaping from one point to another.

**Shri S. S. More:** Sir, I have to shift to another point....

**Mr. Deputy-Speaker:** Order, order. I cannot go on allowing this kind of thing. When he raised his point he must have been complete. If he wants to oust the jurisdiction of the House and not entertain any report, even with respect to that point he will

[Mr. Deputy-Speaker]

kindly look into Rule 37 G, H and i, where there is a report contemplated. And the report may be accepted or rejected by the House. Therefore they have to send a report to the House.

**Shri S. S. More:** May I bring to your notice Rule 37E which says that "the functions of the Committee shall be....

**Mr. Deputy-Speaker:** Order, order. I am not going to allow any more discussion on this. Because if I satisfy the hon. Member on E he will go to G. He will kindly read the portion that relates to the report.

**Shri S. S. More:** Do you mean, Sir, that without reading it I am raising the point? It is a slur on me.

**Mr. Deputy-Speaker:** I am not making any general remark. When he raised a point of order he must have made it complete—one, two, three, four. Still I allowed him. But he wants to go to another point. I have given my ruling on the point of order.

**Shri S. S. More:** But why this slur, Sir? May I protest?

**Mr. Deputy-Speaker:** He has made his protest!

**Shri M. Khuda Baksh** (Murshidabad): Sir, it is most unusual. The hon. Member was addressing you on a point of order, and in the midst of it another Member from this side rose to a point of order. But the other Member was allowed to make a speech in the midst of a point of order that was already in progress. I think it was unusual and not in order. I want your ruling on this.

**Mr. Deputy-Speaker:** The point of order is over. As soon as he rose he might have raised a point of order.

**Shri S. V. Ramaswamy:** I beg to move:

That for the orginal motion, the following be substituted:

> "That this House disagrees with the Report of the Committee on Private Members' Bills on Bill No. 127 of 1952."

In moving this I wish to place before the House that the Report submitted by the Committee is not very satisfactory. The very purpose of private Members' Bills or the right of a private Member to move a Bill or bring a Resolution before the House will be defeated if this report is accepted. The right of a private Member to move a Bill is a very valuable right which we shall not deny ourselves. Private Members are the spear-heads of public opinion. It may be that the Constitution is a very sacred document. We all accept it. But nevertheless we are living in changing times. From year to year, almost from day to day, we are living in a world which is changing. And to say that the Constitution must remain, as it was framed, for ever would be wrong. It is to suit the changing times and circumstances that we as private Members bring forward either Resolutions or Bills. It is to suit the changing need of the time, for instance, that I have brought this Bill. I am referring to my Bill No. 127 of 1952. The other Bill, No. 124, I myself did not press. It may be that when the Constituent Assembly framed our Constitution the situation was entirely different. Now, this Bill seeks the abolition of Upper Houses in the States. As you know, under the Constitution, in six States you have got Upper Houses. The question of Second Chambers is a very old question. Any student of constitutional history will know that it has been discussed threadbare. Nevertheless, in the present context I wish to urge whether it is necessary to maintain Second Chambers in the several States. One argument that I wish to advance is that under the Constitution the strength of the Legislative Assemblies in the several States has been increased to such a

great extent that it is absolutely superfluous for an Upper House to function in the States.

I will give you only one example. In my district of Salem in the Madras State, before the Constitution we had eight Members for the Legislative Assembly. Now, under the present Constitution we are having twenty-two Members. If the membership of the Lower House has increased nearly three-fold, what is the purpose in having another House and putting ourselves to the enormous expenditure of having membership of the other House. We wish to economise in administration. Parliamentary democracy shall not be a burden upon the taxpayer.

**An Hon. Member:** Go on.

**Shri S. V. Ramaswamy:** I am addressing the Chair. The Chair is not listening.

**Mr. Deputy-Speaker:** Order, order. The hon. Member must conclude.

**Shri V. P. Nayar** (Chirayinkil): That shows that the Chair has been listening!

**Shri S. V. Ramaswamy:** Sir, as I was submitting, parliamentary democracy shall not be a burden upon the taxpayer. To have these Upper Houses in the States is, in my humble opinion, a costly futility. Because, the same debates that are held in the Lower House in the States are repeated in the Upper House, involving a duplication of T.A., D.A., printing, stationery, this, that and the other. It appears to me to be a needless waste.

Sir, it is half past six. May I continue? I have not finished.

**Mr. Deputy-Speaker:** No. Five minutes were allowed to the hon. Member. He has exceeded five minutes. We will go to another amendment. Shrimati Renu Chakravartty.

**Shri N. M. Lingam** (Coimbatore): My amendment is the first.

**Shrimati Renu Chakravartty:** Sir, while moving my amendment I would like to make a little correction and that is to delete the last few words, namely "on Bill No. 127 of 1952". It is a small mistake.

I beg to move:

That for the original motion, the following be substituted:

> "That this House disagrees with the Report of the Committee on Private Members' Bills."

Sir, it is a very important report which has been brought before this House and one which we must emphatically throw out. Because, it goes against the fundamental rights granted under the Constitution to every Member elected to this House. You, Sir, have of course made it already clear that the report is only of a recommendatory character. But I agree with Mr. More that the very constitution of this Committee and its functions, as written down in this report, go against the fundamental rights of Members and no authority has any right to take away the right of Members to bring forward any amendments to the Constitution. My friend Mr. Altekar was emphatic in saying that nothing new has happened to warrant that there should be changes to the Constitution. One very big change has come about, and that is that the Constituent Assembly when it was formed was formed with Members who were elected under the 1935 Constitution. There was absolutely nothing called an opposition. There were no such people who had come to the electorates and been returned from them. Almost all of us, many of us, have been returned on certain manifestoes, which we have presented to the people and in those manifestoes, there are many points which need an immediate amendment of the Constitution. For example, I should like to point out that we have been returned on the manifesto demanding deletion of the article which says that there can be no confiscation of property without compensation. We stand on that and we demand that there should

[Shrimati Renu Chakravartty]

not be anything which takes away from us the right of bringing forward in this House what we have promised to the electorate and therefore, cannot accept the report of this Committee.

We have been told in the recommendation, especially on page 3, that the Constitution should be considered as a sacred document. The framers of the document have not regarded it as a sacred document. They have cared tuppence for it when we see that even within a short period from the time of its birth, they have not faltered in bringing an amendment when it was a question of curtailing civil liberties. At that time, it was not regarded as a sacred document. Now, when we want that certain other amendments should come forward, all these arguments are brought forward that it is a sacred document and that noting has changed and therefore we cannot be allowed the right to bring forward amendments to the Constitution.

The report says: that the Constitution can be amended only when it is found absolutely necessary to do so. Who has given the right to anybody to say that it is absolutely necessary to do so or not? Only the people can tell us. They have told us in unequivocal language; they have given us a mandate that we should demand a change in the Constitution. Therefore, most emphatically I say that we cannot accept the recommendations of this Committee.

Furthermore, it has been said that we have to go into the interpretation of the various articles and provisions of the Constitution and into the intention and what was behind the minds of those who framed it. We were not there. We were not a party to the framing of the Constitution. We accept many parts of it; many other parts we do not accept. Therefore, we will not allow anybody to touch our right to demand that there should be a change and bring forward amendments. Nobody can take away that right from us.

In para 6 (3) it is stated:

> "Generally speaking, notices of Bills from Private Members should be examined in the background of the proposals or measures which Government may be considering at the time...."

I think very few people in this country will know what is going on in the mind of the Government. Certainly, we are not in a position to fathom what they are thinking.

**Shri S. S. More:** Even they do not know their own mind.

**Shrimati Renu Chakravartty:** I should like to point out some concrete examples. We have been told the other day that the Law Minister is going to find out ways and means of how he should bring forward such Bills as the Dowry Bill, and other social Bills. We have been demanding the Rao Bill. Even today we find there is no comprehensive law incorporating all that was contained in the Rao Bill. We have no faith in what the Government is thinking. We have got to fathom their intentions, understand them and then we will be allowed to bring forward Bills in this House. This position is completely untenable.

Then again in sub-para (4) it is stated:

> "Whenever a private Member's Bill raises issues of far-reaching importance and public interest, the Bill might be allowed to be introduced so that public opinion is ascertained and gauged to enable the House to consider the matter further."

Again, I emphatically say that there is no question of "might be allowed". It is our right and we will not allow any body to challenge that right. We come from the Opposition parties. We are not in the party of the Government. It is only right that, when we are given a very meagre right of bringing forward Bills and Resolutions, nobody should put any sort

of a curb on the right that we nave. Continuing the report says:

> "In determining whether a matter is of sufficient public importance, it should be examined whether the particular provisions in the Constitution are adequate to satisfy the current ideas and public demand at the time."

Who is to gauge that? If we say that that is the demand of the people, who is to gauge that? I am afraid the Members in the Treasury Benches have got yards of cotton wool pushed into their ears and it is difficult for them to hear what people outside are saying. I would say that it is impossible to lay down such principles. Who is to decide what are the current ideas and public demand at the time?

The report says:

> "In other words, the Constitution should be adapted to the current needs and demands of the progressive society and any rigidity which may impede progress should be avoided."

This, I think, is a little face saving statement on the part of the Committee, if I may be permitted to say so. You talk of progressive society and demands of progressive society and say, we do not want to avoid such things. I say that there are many points, which we as Members say, represent the current needs and demands of progressive society, which go against the Constitution. Nothing should be put in the way of our presenting that case. Therefore we oppose this report.

I shall just take 5 minutes more and I think I should be allowed to finish.

**Some Hon. Members:** No, no.

**Shrimati Renu Chakravartty:** I request the Members sitting opposite to let me finish.....

**Shri S. V. Ramaswamy:** Could we not take up this matter some other day?

**Shri V. G. Deshpande** (Guna): One full day should be given.

**Mr. Deputy-Speaker:** I find several hon. Members desirous of speaking. I do not want to throttle any discussion. This is the first time that this matter is coming up. A Committee has been appointed and it has made some recommendations. All the points of view have to be placed before the House. I will waive the rule and we will have discussion for another half an hour some other day so that all points of view may be placed before the Committee.

**Some Hon. Members:** One full day.

**Mr. Deputy-Speaker:** Why not tomorrow? All right; we will take it up on the next available day and we will have a discussion over this matter.

**Pandit Thakur Das Bhargava:** May I respectfully submit, Sir, that half an hour for this matter will not be sufficient as the points involved are very important. They go to the root of the matter.

**Mr. Deputy-Speaker:** I shall also tell the Speaker that this is a matter of first impression. I do not want any hon. Member or the House as a whole to be under the impression that this report is going to throttle them or stand in their way. Therefore, I will waive the rule and I won't put the Question now. I shall give the hon. Lady Member an opportunity to continue for five more minutes next time.

Hon. Members will also kindly bear this in mind. After all this is a recommendation to the hon. Members, in voting one way or the other. What is being done? All the four Bills are here. Each hon. Member who has given notice will assume that this is the time for introduction. Under Rule 72 of the existing rules, even apart from the new rules regarding the Committee, if a motion for leave to introduce a Bill is opposed—we will assume that the Government opposes—the Speaker, after permitting, if he thinks fit, a brief explanatory statement from the Member who moves

[Mr. Deputy-Speaker]

and from the Member who opposes, the motion, may, without further debate, put the question. What I would submit to the House is this. The framers of the report do not arrogate to themselves the decision. They only make a suggestion. Even if individually everyone of these Bills should be introduced now, which I think is what is being done in this half an hour, what any hon. Member can claim under the existing rules, apart from this report—this is a new rule—is to make a statement if it is opposed, and then the other side, that is, the opponent, also makes a statement and then immediately the Question is put. Therefore, no valuable right which is now existing is taken away. In addition, the House has got an opportunity to consider the report. The report is not binding on the House. Therefore even at this stage, without allotting any more day, I can straightaway put these motions one after the other, which is as good as the Committee's report to the House. Let there be no wrong impression created at all. But, in view of the fact that this is a matter of first impression, and hon. Members are exercised over it under the impression that a lot of valuable right is being taken away, I have no objection to waive this rule and have a discussion on another day when next time we meet. I will tell the hon. Speaker that the general desire of the House is to discuss the matter because it is one which apparently is taking away a right which is vested in them, more than what is provided in the report.

**Shri Raghavachari** (Penukonda): May I submit, Sir, what happens to the general accepted convention that there would be no objection at the time of introducing a Bill?

**Mr. Deputy-Speaker:** It is not so. The hon. Member will look into the previous records. Take the case of the Steel Bills. They were opposed and they were thrown out.

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## PAPER LAID ON THE TABLE

### REPORT ON THE WORKING OF THE PREVENTIVE DETENTION ACT.

**The Minister of Law and Minority Affairs (Shri Biswas):** I beg to lay on the Table a copy of the Report on the working of the Preventive Detention Act, 1950 during the period 30th September, 1952, to 30th September, 1953. [*Placed in Library. See No. S-206/53.*]

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**Mr. Deputy-Speaker:** The hon. Lady Member may continue next time. Specific time will be fixed in due course.

The House will now stand adjourned and meet again on Monday at 1-30 P.M.

*The House then adjourned till Half Past One of the Clock on Monday, the 14th December, 1953.*